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THE
HISTORY
OF
ENGLAND.

FROM THE
INVASION OF JULIUS CÆSAR

TO
The REVOLUTION in 1688.

By DAVID HUME, Esq;

A NEW EDITION.

VOL. XII.

BASIL:

PRINTED BY J. J. TOURNEISEN.

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MDCCLXXXVIII.

C O N T E N T S
O F T H E
T W E L F T H V O L U M E.

C H A R L E S I I.

C H A P. L X I X.

*State of affairs in Ireland — Shaftesbury acquitted —
Argyle's trial — State of affairs in Scotland — State
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sheriffs — Quo warrantos — Great power of the
crown — A conspiracy — Shaftesbury retires and dies
— Rye-house plot — Conspiracy discovered — Execution
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THE
HISTORY
OF
GREAT BRITAIN.

CHARLES II.

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of the ministry in England — New nomination of
sheriffs — Quo warrantos — Great power of the
crown — A conspiracy — Shaftesbury retires and dies
— Rye house plot — Conspiracy discovered — Execution
of the conspirators — Trial of lord Russel — His
execution — Trial of Algernon Sidney — His execution
— State of the nation — State of foreign affairs —
King's sickness and death — And Character.*

WHEN the cabal entered into the mysterious
alliance with France, they took care to remove
the duke of Ormond from the committee of foreign
affairs; and nothing tended farther to increase the

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CHAP.

LXIX.

1681.

State of
affairs in
Ireland.

C H A P. national jealousy, entertained against the new
LXIX. measures, than to see a man of so much loyalty,
1681. as well as probity and honor, excluded from public councils. They had even so great interest with the king as to get Ormond recalled from the government of Ireland; and lord Robarts, afterwards earl of Radnor, succeeded him in that important employment. Lord Berkeley succeeded Robarts; and the earl of Essex, Berkeley. At last in the year 1677, Charles cast his eye again upon Ormond, whom he had so long neglected; and sent him over lieutenant to Ireland, "I have done every thing," said the king, "to disoblige that man; but it is not in my power to make him my enemy." Ormond, during his disgrace, had never joined the malecontents, nor encouraged those clamors, which, with too much reason, but often for bad purposes, were raised against the king's measures. He even thought it his duty, regularly, though with dignity, to pay his court at Whitehall; and to prove that his attachments were founded on gratitude, inclination, and principle, not on any temporary advantages. All the expressions, which dropped from him, while neglected by the court, showed more of good humor, than any prevalence of spleen and indignation. "I can do you no service," said he to his friends, "I have only the power left by my applications to do you some hurt." When colonel Cary Dillon solicited him to second his pretensions for an office, and urged that he had no friends but God and his grace: "Alas!

“ poor Cary,” replied the duke, “ I pity thee: C H A P.
 “ Thou couldest not have two friends, that LXIX.
 “ possess less interest at court.” “ I am thrown 1681.
 “ by,” said he, on another occasion, “ like
 “ an old rusty clock; yet even that neglected
 “ machine, twice in twenty-four hours, points
 “ right,”

ON such occasions, when Ormond, from decency, paid his attendance at court, the king, equally ashamed to show him civility and to neglect him, was abashed and confounded. “ Sir,” said the profligate Buckingham, “ I wish to know
 “ whether it be the duke of Ormond, that is
 “ out of favor with your majesty, or your majesty
 “ with the duke of Ormond; for, of the two,
 “ you seem the most out of countenance.”

WHEN Charles found it his interest to show favor to the old royalists and to the church of England, Ormond, who was much revered by that whole party, could not fail of recovering, together with the government of Ireland, his former credit and authority. His administration when lord lieutenant, corresponded to the general tenor of his life; and tended equally to promote the interests of prince and people, of protestant and catholic. Ever firmly attached to the established religion, he was able, even during those jealous times, to escape suspicion, though he gratified not vulgar prejudices by any persecution of the popish party. He increased the revenue of Ireland to three hundred thousand pounds a year: He maintained a regular army of ten thousand

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C H A P. men : He supported a well disciplined militia of
 LXIX. twenty thousand : And though the act of settle-
 1681. ment had so far been infringed , that catholics
 were permitted to live in corporate towns , they
 were guarded with so careful an eye , that the
 most timorous protestant never apprehended any
 danger from them.

THE chief object of Essex's ambition was to
 return to the station of lord lieutenant, where he
 had behaved with honor and integrity: Shaftes-
 bury and Buckingham bore an extreme hatred
 to Ormond , both from personal and party con-
 siderations: The great aim of the anti-courtiers
 was to throw reflections on every part of the
 king's government. It could be no surprise,
 therefore, to the lord lieutenant to learn, that
 his administration was attacked in parliament,
 particularly by Shaftesbury; but he had the satis-
 faction, at the same time, to hear of the keen,
 though polite defence , made by his son , the
 generous Ossory. After justifying several parti-
 culars of Ormond's administration against that
 intriguing patriot, Ossory proceeded in the fol-
 lowing words: " Having spoken of what the lord
 " lieutenant has done , I presume with the same
 " truth to tell your lordships what he has not
 " done. He never advised the breaking of the
 " triple league; he never advised the shutting up
 " of the exchequer; he never advised the declara-
 " tion for a toleration; he never advised the fal-
 " ling out with the Dutch and the joining with
 " France : He was not the author of that most

“ excellent position *Delenda est Carthago*, that
 “ Holland, a protestant country, should, contrary
 “ to the true interests of England, be totally de-
 “ stroyed. I beg that your lordships will be so
 “ just as to judge of my father and all men,
 “ according to their actions and their counsels.”

C H A P.

LXIX.

1684

These few sentences, pronounced by a plain gallant soldier, noted for probity, had a surprising effect upon the audience, and confounded all the rhetoric of his eloquent and factious adversary. The prince of Orange, who esteemed the former character as much as he despised the latter, could not forbear congratulating by letter the earl of Ossory on this new species of victory, which he had obtained.

OSSORY, though he ever kept at a distance from faction, was the most popular man in the kingdom; though he never made any compliance with the corrupt views of the court, was beloved and respected by the king. An universal grief appeared on his death, which happened about this time, and which the populace, as is usual wherever they are much affected, foolishly ascribed to poison. Ormond bore the loss with patience and dignity; though he ever retained a pleasing, however melancholy, sense of the signal merit of Ossory. “I would not exchange my dead son,” said he, “for any living son in Christendom.”

THESE particularities may appear a digression; but it is with pleasure, I own, that I relax myself for a moment in the contemplation of these humane and virtuous characters, amidst that

8 HISTORY OF GREAT BRITAIN.

G H A P. scene of fury and faction, fraud and violence, in
LXIX. which at present our narration has unfortunately
1681. engaged us.

BESIDES the general interest of the country party to decry the conduct of all the king's ministers, the prudent and peaceable administration of Ormond was in a particular manner displeasing to them. In England, where the catholics were scarcely one to a hundred, means had been found to excite an universal panic, on account of insurrections and even massacres, projected by that sect; and it could not but seem strange that in Ireland, where they exceeded the protestants six to one, there should no symptoms appear of any combination or conspiracy. Such an incident, when duly considered, might even in England shake the credit of the plot, and diminish the authority of those leaders, who had so long, with such industry, inculcated the belief of it on the nation. Rewards, therefore, were published in Ireland to any that would bring intelligence or become witnesses; and some profligates were sent over to that kingdom, with a commission to seek out evidence against the catholics. Under pretence of searching for arms or papers, they broke into houses, and plundered them: They threw innocent men into prison, and took bribes for their release: And after all their diligence, it was with difficulty, that that country, commonly fertile enough in witnesses, could furnish them with any fit for their purpose.

At last, one Fitzgerald appeared, followed by

Ivey, Sanfon, Dennis, Bourke, two Macnamaras, and some others. These men were immediately sent over to England; and though they possessed neither character sufficient to gain belief even for truth, nor sense to invent a credible falsehood, they were caressed, rewarded, supported, and recommended by the earl of Shaftesbury. Oliver Plunket, the titular primate of Ireland, a man of peaceable dispositions, was condemned and executed upon such testimony. And the Oxford parliament entered so far into the matter as to vote, that they were entirely satisfied in the reality of the *horrid* and *damnable* Irish plot. But such decisions, though at first regarded as infallible, had now lost much of their authority; and the public still remained somewhat indifferent and incredulous.

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LXIX.

1681.

AFTER the dissolution of the parliament, and the subsequent victory of the royalists, Shaftesbury's evidences, with Turberville, Smith, and others, addressed themselves to the ministers, and gave information of high treason against their former patron. It is sufficiently scandalous, that intelligence, conveyed by such men, should have been attended to; but there is some reason to think, that the court agents, nay the ministers, nay the king himself¹, went farther, and were active in endeavouring, though in vain, to find more reputable persons to support the blasted credit of the Irish witnesses. Shaftesbury was

¹ See captain Wilkinson's narrative.

8 HISTORY OF GREAT BRITAIN.

C H A P. committed to prison, and his indictment was presented to the grand jury. The new sheriffs of London, Shute and Pilkington, were engaged as deeply as their predecessors in the country-party; and they took care to name a jury devoted to the same cause: A precaution quite necessary, when it was scarcely possible to find men indifferent or attached to neither party. As far as swearing could go, the treason was clearly proved against Shaftesbury; or rather so clearly as to merit no kind of credit or attention. That veteran leader of a party, inured from his early youth to faction and intrigue, to cabals and conspiracies, was represented as opening without reserve his treasonable intentions to these obscure banditti, and throwing out such violent and outrageous reproaches upon the king, as none but men of low education, like themselves, could be supposed to employ. The draught of an association, it is true, against popery and the duke, was found in Shaftesbury's cabinet; and dangerous inferences might be drawn from many clauses of that paper. But it did not appear, that it had been framed by Shaftesbury, or so much as approved by him. And as projects of an association had been proposed in parliament, it was very natural for this nobleman, or his correspondents, to be thinking of some plan, which it might be proper to lay before that assembly. The grand jury, therefore, after weighing all these circumstances, rejected the indictment; and the people, who attended the

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1681.

Shaftesbury
acquitted.

hall, testified their joy by the loudest acclamations, which were echoed throughout the whole city.

C H A P.
LXIX.
1681.

ABOUT this time a scheme of oppression was laid in Scotland, after a manner still more flagrant, against a nobleman much less obnoxious than Shaftesbury; and as that country was reduced to a state of almost total subjection, the project had the good fortune to succeed.

Argyle's
trial.

THE earl of Argyle, from his youth, had distinguished himself by his loyalty, and his attachment to the royal family. Though his father was head of the covenanters, he himself refused to concur in any of their measures; and when a commission of colonel was given him by the convention of states, he forbore to act upon it, till it should be ratified by the king. By his respectful behaviour, as well as by his services, he made himself acceptable to Charles, when that prince was in Scotland: And even after the battle of Worcester, all the misfortunes, which attended the royal cause, could not engage him to desert it. Under Middleton he obstinately persevered to harass and infest the victorious English; and it was not till he received orders from that general, that he would submit to accept of a capitulation. Such jealousy of his loyal attachments was entertained by the commonwealth and protector, that a pretence was soon after fallen upon to commit him to prison; and his confinement was rigorously continued till the restoration. The king, sensible of his services, had remitted to him his father's

CHAP. forfeiture, and created him earl of Argyle; and
 LXIX. when a most unjust sentence was passed upon
 1681. him by the Scottish parliament, Charles had a new
 remitted it. In the subsequent part of this reign,
 Argyle behaved himself dutifully; and though he
 seemed not disposed to go all lengths with the
 court, he always appeared, even in his opposition,
 to be a man of mild dispositions and peaceable
 deportment.

A PARLIAMENT was summoned at Edinburgh
 this summer, and the duke was appointed com-
 missioner. Besides granting money to the king
 and voting the indefeasible right of succession, this
 parliament enacted a test, which all persons,
 possessed of offices, civil, military, or eccle-
 siastical, were bound to take. In this test, the
 king's supremacy was asserted, the covenant
 renounced, passive obedience assented to, and
 all obligations disclaimed of endeavouring any
 alteration in civil or ecclesiastical establishments.
 This was the state of the test, as proposed by
 the courtiers; but the country-party proposed
 also to insert a clause, which could not with
 decency be refused, expressing the person's ad-
 herence to the protestant religion. The whole
 was of an enormous length, considered as an
 oath; and what was worse, a confession of faith
 was there ratified, which had been imposed a
 little after the reformation, and which contained
 many articles altogether forgotten by the parlia-
 ment and nation. Among others, the doctrine of
 resistance was inculcated; so that the test, being

voted in a hurry, was found on examination to be a medley of contradiction and absurdity. Several persons, the most attached to the crown, scrupled to take it: The bishops and many of the clergy remonstrated: The earl of Queensberry refused to swear, except he might be allowed to add an explanation: And even the privy council thought it necessary to publish for general satisfaction a solution of some difficulties, attending the test.

C H A P.
LXIX.
1681.

THOUGH the courtiers could not reject the clause of adhering to the protestant religion, they proposed, as a necessary mark of respect, that all princes of the blood should be exempted from taking the oath. This exception was zealously opposed by Argyle; who observed, that the sole danger to be dreaded for the protestant religion must proceed from the perversion of the royal family. By insisting on such topics, he drew on himself the secret indignation of the duke, of which he soon felt the fatal consequences.

WHEN Argyle took the test as a privy counsellor, he subjoined, in the duke's presence, an explanation, which he had beforehand communicated to that prince, and which he believed to have been approved by him. It was in these words: "I have considered the test, and am very desirous of giving obedience as far as I can. I am confident, that the parliament never intended to impose contradictory oaths: Therefore I think no man can explain it but for himself. Accordingly, I take it as far as it is

C H A P. “ consistent with itself, and the protestant religion.
 LXIX. “ And I do declare, that I mean not to bind
 1681. “ myself, in my station, and in a lawful way,
 “ from wishing, and endeavouring any alteration,
 “ which I think to the advantage of church or
 “ state, and not repugnant to the protestant
 “ religion and my loyalty: And this I understand
 “ as a part of my oath.” The duke, as was
 natural, heard these words with great tranquillity:
 No one took the least offence: Argyle was ad-
 mitted to sit that day in council: And it was
 impossible to imagine, that a capital offence had
 been committed, where occasion seemed not to
 have been given, so much as for a frown or
 reprimand.

ARGYLE was much surpris'd, a few days after,
 to find, that a warrant was issued for commit-
 ting him to prison; that he was indicted for high
 treason, leasing-making, and perjury; and that
 from these innocent words an accusation was ex-
 tracted, by which he was to forfeit honors, life,
 and fortune. It is needless to enter into particu-
 lars, where the iniquity of the whole is so
 apparent. Though the sword of justice was
 displayed, even her semblance was not put on;
 and the forms alone of law were preserved, in
 order to sanctify, or rather aggravate the oppres-
 sion. Of five judges, three did not scruple to
 find the guilt of treason and leasing-making to be
 incurred by the prisoner: A jury of fifteen noble-
 men gave verdict against him: And the king,
 being consulted, ordered the sentence to be pro-

nounced ; but the execution of it to be suspended, till farther orders.

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1681.

It was pretended by the duke and his creatures, that Argyle's life and fortune were not in any danger, and that the sole reason for pushing the trial to such extremities against him was in order to make him renounce some hereditary jurisdictions, which gave his family a dangerous authority in the highlands, and obstructed the course of public justice. But allowing the end to be justifiable, the means were infamous ; and such as were incompatible, not only with a free, but a civilized government. Argyle had therefore no reason to trust any longer to the justice or mercy of such enemies : He made his escape from prison ; and till he should find a ship for Holland, he concealed himself during some time in London. The king heard of his lurking-place, but would not allow him to be arrested². All the parts however of his sentence, as far as the government in Scotland had power, were rigorously executed ; his estate confiscated, his arms reversed and torn.

State of
affairs in
Scotland.

It would seem, that the genuine passion for liberty was at this time totally extinguished in Scotland : There was only preserved a spirit of mutiny and sedition, encouraged by a mistaken zeal for religion. Cameron and Cargil, two furious preachers, went a step beyond all their brethren : They publicly excommunicated the king for his

² Burnet, vol. ii p. 522.

C H A P. LXIX. tyranny and his breach of the covenant; and they renounced all allegiance to him. Cameron was killed by the troops in an action at Airmos; Cargil was taken and hanged. Many of their followers were tried and convicted. Their lives were offered them if they would say *God save the king*: But they would only agree to pray for his repentance. This obstinacy was much insisted on as an apology for the rigors of the administration: But if duly considered, it will rather afford reason for a contrary inference. Such unhappy delusion is an object rather of commiseration than of anger: And it is almost impossible, that men could have been carried to such a degree of frenzy, unless provoked by a long train of violence and oppression.

1682.

As the king was master in England, and no longer dreaded the clamors of the country-party, he permitted the duke to pay him a visit; and was soon after prevailed on to allow of his return to England, and of his bearing a part in the administration. The duke went to Scotland, in order to bring up his family, and settle the government of that country; and he chose to take his passage by sea. The ship struck on a sand-bank, and was lost: The duke escaped in the barge; and it is pretended, that, while many persons of rank and quality were drowned, and among the rest, Hyde, his brother-in-law, he was very careful to save several of his dogs and priests: For these two species of favorites are coupled together by some writers. It has

likewise been asserted, that the barge might safely have held more persons, and that some who swam to it were thrust off, and even their hands cut, in order to disengage them. But every action of every eminent person, during this period, is so liable to be misinterpreted and misrepresented by faction, that we ought to be very cautious in passing judgment on too slight evidence. It is remarkable, that the sailors on board the ship, though they felt themselves sinking, and saw inevitable death before their eyes, yet as soon as they observed the duke to be in safety, gave a loud shout, in testimony of their joy and satisfaction.

C H A P.
LXIX.
1682.

THE duke, during his abode in Scotland, had behaved with great civility towards the gentry and nobility; and by his courtly demeanour had much won upon their affections: But his treatment of the enthusiasts was still somewhat rigorous, and in many instances he appeared to be a man of a severe, if not an unrelenting temper. It is even asserted, that he sometimes assisted at the torture of criminals, and looked on with tranquillity, as if he were considering some curious experiment³. He left the authority in the hands of the earl of Aberdeen, chancellor, and the earl of Queensberry, treasurer: A very

³ Burnet, vol. i. p. 583. Wodrow, vol. ii. p. 169. This last author, who is much the better authority, mentions only one instance, that of Spreul, which seems to have been an extraordinary one.

C H A P. arbitrary spirit appeared in their administration.
 LXIX. A gentleman of the name of Weir was tried,
 1682. because he had kept company with one who had been in rebellion; though that person had never been marked out by process or proclamation. The inferences, upon which Weir was condemned (for a prosecution by the government and a condemnation were in Scotland the same thing) hung upon each other, after the following manner. No man, it was supposed, could have been in a rebellion, without being exposed to suspicion in the neighbourhood: If the neighbourhood had suspected him, it was to be presumed, that each individual had likewise heard of the grounds of suspicion: Every man was bound to declare to the government his suspicion against every man, and to avoid the company of traitors: To fail in this duty was to participate in the treason: The conclusion on the whole was, You have conversed with a rebel; therefore you are yourself a rebel. A reprieve was with some difficulty procured for Weir; but it was seriously determined to make use of the precedent. Courts of judicature were erected in the southern and western counties, and a strict inquisition carried on against this new species of crime. The term of three years was appointed for the continuance of these courts; after which an indemnity was promised. Whoever would take the test, was instantly entitled to the benefit of this indemnity. The presbyterians, alarmed with such tyranny, from

from which no man could deem himself safe, began to think of leaving the country; and some of their agents were sent to England, in order to treat with the proprietors of Carolina for a settlement in that colony. Any condition seemed preferable to the living in their native country, which, by the prevalence of persecution and violence, was become as insecure to them as a den of robbers.

ABOVE two thousand persons were out-lawed on pretence of their conversing or having intercourse with rebels⁴, and they were continually hunted in their retreat by soldiers, spies, informers, and oppressive magistrates. It was usual to put insinuating questions to people, living peaceably in their own houses; such as, "Will you renounce the covenant? Do you esteem the rising at Bothwel to be rebellion? Was the killing of the archbishop of St. Andrews murder?" And when the poor deluded creatures refused to answer, capital punishments were inflicted on them⁵. Even women were brought to the gibbet for this pretended crime. A number of fugitives, rendered frantic by oppression, published a seditious declaration; renouncing allegiance to Charles Stuart, whom they called, as they, for their parts, had indeed some reason to esteem him, a tyrant. This incident afforded the privy council a pretence for an unusual kind of oppression. Soldiers were

⁴ Wodrow, vol. ii. Appendix, 94.

⁵ Ibid. vol. ii. passim.

C H A P. dispersed over the country, and power was given
 LXIX. to all commission officers, even the lowest, to
 1682. oblige every one they met with, to abjure the
 declaration; and upon refusal, instantly, without
 farther questions, to shoot the delinquent⁶. It
 were endless, as well as shocking, to enumerate
 all the instances, of persecution, or, in other
 words, of absurd tyranny, which at that time
 prevailed in Scotland. One of them however is
 so singular, that I cannot forbear relating it.

THREE women were seized⁷; and the custom-
 ary oath was tendered to them, by which
 they were to abjure the seditious declaration
 above mentioned. They all refused, and were
 condemned to a capital punishment by drowning.
 One of them was an elderly woman: The other
 two were young; one eighteen years of age,
 the other only thirteen. Even these violent
 persecutors were ashamed to put the youngest
 to death: But the other two were conducted
 to the place of execution, and were tied to
 stakes within the sea-mark at low-water: A con-
 trivance, which rendered their death lingering
 and dreadful. The elderly woman was placed
 farthest in, and by the rising of the waters was
 first suffocated. The younger, partly terrified
 with the view of her companion's death, partly
 subdued by the entreaty of her friends, was
 prevailed with to say *God save the King*. Immedi-
 ately the spectators called out, that she had

⁶ Wodrow, vol. ii. p. 434.

⁷ Ibid. p. 505.

submitted ; and she was loosened from the stake. Major Winram, the officer who guarded the execution, again required her to sign the abjuration ; and upon her refusal, he ordered her instantly to be plunged in the water, where she was suffocated.

C H A P.
LXIX.
1682.

THE severity of the administration in Scotland is in part to be ascribed to the duke's temper, to whom the king had consigned over the government of that country, and who gave such attention to affairs as to allow nothing of moment to escape him. Even the government of England, from the same cause, began to be somewhat infected with the same severity. The duke's credit was great at court. Though neither so much beloved nor esteemed as the king, he was more dreaded ; and thence an attendance more exact, as well as a submission more obsequious, was paid to him. The saying of Waller was remarked, that Charles, in spite to the parliament, who had determined, that the duke should not succeed him, was resolved, that he should reign even in his lifetime.

THE king however, who loved to maintain a balance in his councils, still supported Halifax, whom he created a marquis, and made privy seal ; though ever in opposition to the duke. This man, who possessed the finest genius and most extensive capacity, of all employed in public affairs during the present reign, affected a species of neutrality between the parties, and was esteemed the head of that small body, known by the

State of the
ministry in
England.

C H A P.

LXIX.

1682.

denomination of *Trimmers*. This conduct, which is more natural to men of integrity than of ambition, could not however procure him the former character; and he was always, with reason, regarded as an intriguer rather than a patriot. Sunderland, who had promoted the exclusion-bill, and who had been displaced on that account, was again, with the duke's consent, brought into the administration. The extreme duplicity, at least variableness, of this man's conduct, through the whole course of his life, made it be suspected, that it was by the king's direction he had mixed with the country-party. Hyde, created earl of Rochester, was first commissioner of the treasury, and was entirely in the duke's interests.

THE king himself was obliged to act as the head of a party; a disagreeable situation for a prince, and always the source of much injustice and oppression. He knew how obnoxious the dissenters were to the church; and he resolved, contrary to the maxims of toleration, which he had hitherto supported in England, to gratify his friends by the persecution of his enemies. The laws against conventicles were now rigorously executed; an expedient, which, the king knew, would diminish neither the numbers nor influence of the nonconformists; and which is therefore to be deemed more the result of passion than of policy. Scarcely any persecution serves the intended purpose but such as amounts to a total extermination.

THOUGH the king's authority made every day great advances, it still met with considerable obstacles, chiefly from the city, which was entirely in the hands of the malecontents. The juries, in particular, named by the sheriffs, were not likely to be impartial judges between the crown and the people; and after the experiments already made in the case of Shaftesbury and that of College, treason, it was apprehended, might there be committed with impunity. There could not therefore be a more important service to the court than to put affairs upon a different footing. Sir John Moore, the mayor, was gained by secretary Jenkins, and encouraged to insist upon the customary privilege of his office, of naming one of the sheriffs. Accordingly, when the time of election came, he drank to North, a Levant merchant, who accepted of that expensive office. The country-party said, that, being lately returned from Turkey, he was, on account of his recent experience, better qualified to serve the purposes of the court. A poll was opened for the election of another sheriff; and here began the contest. The majority of the common-hall, headed by the two sheriffs of the former year, refused to acknowledge the mayor's right of appointing one sheriff, but insisted that both must be elected by the livery. Papillon and Dubois were the persons whom the country-party agreed to elect; Box was pointed out by the courtiers. The poll was opened; but as the mayor would not allow the election to proceed

C H A P.

LXIX.

1682.

New nomination of sheriffs.

24th of June.

C H A P. for two vacancies, the sheriffs and he separated,
 LXIX. and each carried on the poll apart. The country
 1682. party, who voted with the sheriffs for Papillon
 and Dubois, were much more numerous than
 those who voted with the mayor for Box: But
 as the mayor insisted, that his poll was the only
 legal one, he declared Box to be duly elected.
 All difficulties however were not surmounted.
 Box, apprehensive of the consequences, which
 might attend so dubious an election, fined off;
 and the mayor found it necessary to proceed to
 a new choice. When the matter was proposed
 to the common-hall, a loud cry was raised, No
 election! No election! The two sheriffs already
 elected, Papillon and Dubois, were insisted on
 as the only legal magistrates. But as the mayor
 still maintained, that Box alone had been legally
 chosen, and that it was now requisite to supply
 his place, he opened books a-new; and during
 the tumult and confusion of the citizens, a few
 of the mayor's partisans elected Rich, unknown
 to and unheeded by the rest of the livery. North
 and Rich were accordingly sworn in sheriffs for
 the ensuing year; but it was necessary to send
 a guard of the train bands to protect them in
 entering upon their office. A new mayor of the
 25th of Oc. court party was soon after chosen by means, as
 tober. is pretended, still more violent and irregular.

THUS the country-party were dislodged from
 their strong hold in the city; where, ever since
 the commencement of factions in the English
 government, they had, without interruption,

almost without molestation, maintained a superiority. It had been happy, had the partialities, hitherto objected to juries, been corrected, without giving place to partialities of an opposite kind: But in the present distracted state of the nation, an equitable neutrality was almost impossible to be attained. The court and church party, who were now named on juries, made justice subservient to their factious views; and the king had a prospect of obtaining full revenge on his enemies. It was not long before the effects of these alterations were seen. When it was first reported, that the duke intended to leave Scotland, Pilkington, at that time sheriff, a very violent man, had broken out in these terms, "He has already burned the city; and "he is now coming to cut all our throats!" For these scandalous expressions, the duke sued Pilkington; and enormous damages to the amount of 100,000 pounds were decreed him. By the law of England, ratified in the great charter, no fine or damages ought to extend to the total ruin of a criminal. Sir Patience Ward, formerly mayor, who gave evidence for Pilkington, was sued for perjury, and condemned to the pillory: A severe sentence, and sufficient to deter all witnesses from appearing in favor of those, who were prosecuted by the court.

BUT though the crown had obtained so great a victory in the city, it was not quite decisive; and the contest might be renewed every year at the election of magistrates. An important project,

C H A P.
LXIX.

1683.

Quo warrantos.

C H A P. therefore, was formed, not only to make the
 LXIX. king master of the city, but by that precedent
 1683. to gain him uncontrolled influence in all the
 corporations of England, and thereby give the
 greatest wound to the legal constitution, which
 the most powerful and most arbitrary monarchs
 had ever yet been able to inflict. A writ of *quo*
warranto was issued against the city; that is, an
 inquiry into the validity of its charter. It was
 pretended, that the city had forfeited all its
 privileges, and ought to be declared no longer
 a corporation, on account of two offences,
 which the court of aldermen and common
 council had committed. After the great fire in
 1666, all the markets had been rebuilt, and had
 been fitted up with many conveniences; and,
 in order to defray the expense, the magistrates
 had imposed a small toll on goods brought to
 market: in the year 1679, they had addressed
 the king against the prorogation of parliament,
 and had employed the following terms: "Your
 " petitioners are greatly surpris'd at the late
 " prorogation, whereby the prosecution of the
 " public justice of the kingdom, and the making
 " of necessary provisions for the preservation of
 " your majesty and your protestant subjects,
 " have received interruption;" These words
 were pretended to contain a scandalous reflection
 on the king and his measures. The cause of the
 city was defended against the attorney and soli-
 citor generals, by Treby and Pollexfen.

THESE last pleaded, that, since the foundation

of the monarchy, no corporation had ever yet been exposed to forfeiture, and the thing itself implied an absurdity: That a corporation, as such, was incapable of all crime or offence, and none were answerable for any iniquity but the persons themselves, who committed it: That the members, in chusing magistrates, had intrusted them with legal powers only; and where the magistrates exceeded these powers, their acts were void, but could never involve the body itself in any criminal imputation: That such had ever been the practice of England, except at the Reformation, when the monasteries were abolished; but this was an extraordinary case; and it was even thought necessary to ratify afterwards the whole transaction by act of parliament: That corporate bodies, framed for public good, and calculated for perpetual duration, ought not to be annihilated for the temporary faults of their members, who might themselves, without hurting the community, be questioned for their offences: That even a private estate, if entailed, could not be forfeited to the crown, on account of treason, committed by the tenant for life; but upon his demise went to the next in remainder: That the offences, objected to the city, far from deserving so severe a punishment, were not even worthy of the smallest reprehension. That all corporations were invested with the power of making by-laws; and the smallest borough in England had ever been allowed to carry the exercise of this power farther than London had

C H A P. done in the instance complained of: That the
 LXIX. city, having, at its own expence, repaired the
 1683. markets, which were built too on its own estate,
 might as lawfully claim a small recompence from
 such as brought commodities thither, as a man
 might require rent for a house, of which he was
 possessed: That those who disliked the condition,
 might abstain from the market; and whoever
 paid, had done it voluntarily: That it was an
 avowed right of the subjects to petition; nor
 had the city in their address abused this privilege:
 That the king himself had often declared, the
 parliament often voted, the nation to be in
 danger from the popish plot; which, it is evident,
 could not be fully prosecuted but in a parliament-
 ary manner: That the impeachment of the
 popish lords was certainly obstructed by the
 frequent prorogations; as was also the enacting
 of necessary laws, and providing for the defence
 of the nation: That the loyalty of the city, no
 less than their regard to self-preservation, might
 prompt them to frame the petition; since it was
 acknowledged, that the king's life was every
 moment exposed to the most imminent danger
 from the popish conspiracy: That the city had
 not accused the king of obstructing justice, much
 less of having any such intention; since it was
 allowed, that evil counsellors were alone answer-
 able for all the pernicious consequences of any
 measure: And that it was unaccountable, that
 two public deeds, which had not, during so long
 a time, subjected to any, even the smallest

penalty, the persons guilty of them, should now be punished so severely upon the corporation, which always was, and always must be innocent.

C H A P.

LXIX.

1683.

12th June?

It is evident, that those who would apologize for the measures of the court, must, in this case, found their arguments, not on law, but reasons of state. The judges, therefore, who condemned the city, are inexcusable; since the sole object of their determinations must ever be the pure principles of justice and equity. But the office of judge was at that time held during pleasure; and it was impossible, that any cause, where the court bent its force, could ever be carried against it. After sentence was pronounced, the city applied in a humble manner to the king; and he agreed to restore their charter, but in return they were obliged to submit to the following regulations: That no mayor, sheriff, recorder, commonserjeant, town-clerk, or coroner, should be admitted to the exercise of his office without his majesty's approbation: That if the king disapprove twice of the mayor or sheriffs elected, he may by commission appoint these magistrates: That the mayor and court of aldermen may, with his majesty's leave, displace any magistrate: And that no alderman, in case of a vacancy, shall be elected without consent of the court of aldermen, who, if they disapprove twice of the choice, may fill the vacancy.

ALL the corporations in England, having the example of London before their eyes, saw how vain it would prove to contend with the court,

Great power
of the
crown:

C. H. A. P. and were, most of them, successively induced to
 LXIX. surrender their charters into the king's hands.
 1683. Considerable sums were exacted for restoring the
 charters; and all offices of power and profit were
 left at the disposal of the crown. It seems strange,
 that the independent royalists, who never meant
 to make the crown absolute, should yet be so
 elated with the victory obtained over their adver-
 saries, as to approve of a precedent, which left
 no national privileges in security, but enabled
 the king under like pretences, and by means of
 like instruments, to recal a-new all those charters,
 which at present he was pleased to grant. And
 every friend to liberty must allow, that the
 nation, whose constitution was thus broken in
 the shock of faction, had a right, by every
 prudent expedient, to recover that security, of
 which it was so unhappily bereaved.

WHILE so great a faction adhered to the crown,
 it is apparent, that resistance, however justifiable,
 could never be prudent; and all wise men saw
 no expedient but peaceably to submit to the
 present grievances. There was however a party
 of malecontents, so turbulent in their disposition,
 that, even before this last iniquity, which laid
 the whole constitution at the mercy of the king,
 they had meditated plans of resistance; at a time
 when it could be as little justifiable as prudent.
 In the spring 1681^{*}, a little before the Oxford

^{*} Lord Grey's secret history of the Rye-house plot. This
 is the most full and authentic account of all these transac-

parliament, the king was seized with a fit of sickness at Windsor, which gave great alarm to the public. The duke of Monmouth, lord Russel, lord Grey, instigated by the restless Shaftesbury, had agreed, in case the king's sickness should prove mortal, to rise in arms and to oppose the succession of the duke. Charles recovered; but these dangerous projects were not laid aside. The same conspirators, together with Essex and Salisbury, were determined to continue the Oxford parliament, after the king, as was daily expected, should dissolve it; and they engaged some leaders among the commons in the same desperate measure. They went so far as to detain several lords in the house, under pretence of signing a protest against rejecting Fitz-harris's impeachment: But hearing that the commons had broken up in great consternation, they were likewise obliged at last to separate. Shaftesbury's imprisonment and trial put an end for some time to these machinations; and it was not till the new sheriffs were imposed on the city that they were revived. The leaders of the country-party began then to apprehend themselves in imminent danger; and they were well pleased to find, that the citizens were struck

tions; but is in the main confirmed by bishop Sprat, and even Burnet, as well as by the trials and dying confession of the conspirators: So that nothing can be more unaccountable than that any one should pretend, that this conspiracy was an imposture like the popish plot. Monmouth's declaration published in the next reign, confesses a consult for extraordinary remedies.

C H A P.
LXIX.
1683.
A conspiracy.

C H A P. LXIX. 1683. with the same terror, and were thence inclined to undertake the most perilous enterprizes. Besides the city, the gentry and nobility in several counties of England were solicited to rise in arms. Monmouth engaged the earl of Macclesfield, lord Brandon, Sir Gilbert Gerrard, and other gentlemen in Cheshire; lord Russel fixed a correspondence with Sir William Courtney, Sir Francis Rowles, Sir Francis Drake, who promised to raise the west; and Trenchard in particular, who had interest in the disaffected town of Taunton, assured him of considerable assistance from that neighbourhood. Shaftesbury and his emissary, Ferguson, an independent clergyman and a restless plotter, managed the correspondence in the city, upon which the confederates chiefly relied. The whole train was ready to take fire; but was prevented by the caution of lord Russel, who induced Monmouth to delay the enterprize. Shaftesbury in the mean time was so much affected with the sense of his danger, that he had left his house, and secretly lurked in the city; meditating all those desperate schemes, which disappointed revenge and ambition could inspire. He exclaimed loudly against delay, and represented to his confederates, that having gone so far, and intrusted the secret into so many hands, there was no safety for them but in a bold and desperate prosecution of their purpose. The projects were therefore renewed: Meetings of the conspirators were appointed in different houses, particularly in Shephard's, an eminent wine-merchant in the

city: The plan of an insurrection was laid in London, Cheshire, Devonshire, and Bristol: The several places of rendezvous in the city were concerted; and all the operations fixed: The state of the guards was even viewed by Monmouth and Armstrong, and an attack on them pronounced practicable: A declaration to justify the enterprise to the public was read and agreed to: And every circumstance seemed now to render an insurrection unavoidable; when a new delay was procured by Trenchard, who declared, that the rising in the west could not for some weeks be in sufficient forwardness.

C H A P.

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1683.

SHAFTESBURY was enraged at these perpetual cautions and delays in an enterprise, which, he thought, nothing but courage and celerity could render effectual: He threatened to commence the insurrection, with his friends in the city alone; and he boasted, that he had ten thousand *brisk* boys, as he called them, who, on a motion of his finger, were ready to fly to arms. Monmouth, Ruffel, and the other conspirators, were, during some time, in apprehensions, lest despair should push him into some dangerous measure; when they heard, that, after a long combat between fear and rage, he had at last abandoned all hopes of success, and had retired into Holland. He lived in a private manner at Amsterdam; and for greater security desired to be admitted into the magistracy of that city: But his former violent counsels against the Dutch commonwealth were remembered; and all applications from him were rejected. He died

Shaftesbury
retires and
dies.

C H A P. soon after; and his end gave neither sorrow to
 LXIX. his friends, nor joy to his enemies. His furious
 1683. temper, notwithstanding his capacity, had done
 great injury to the cause, in which he was engaged.
 The violences and iniquities, which he suggested
 and encouraged, were greater than even faction
 itself could endure, and men could not forbear
 sometimes recollecting, that the same person, who
 had become so zealous a patriot, was once a most
 prostitute courtier. It is remarkable, that this
 man, whose principles and conduct were, in all
 other respects, so exceptionable, proved an
 excellent chancellor; and that all his decrees,
 while he possessed that high office, were equally
 remarkable for justness and for integrity. So diffi-
 cult is it to find in history a character either
 wholly bad or perfectly good; though the
 prejudices of party make writers run easily into
 the extremes both of panegyric and of satire!

AFTER Shaftesbury's departure, the conspirators
 found some difficulty in renewing the correspond-
 ence with the city malecontents, who had been
 accustomed to depend solely on that nobleman.
 Their common hopes, however, as well as
 common fears, made them at last have recourse
 to each other; and a regular project of an insur-
 rection was again formed. A council of six was
 erected, consisting of Monmouth, Russel, Essex,
 Howard, Algernon Sidney, and John Hambden,
 grandson of the great parliamentary leader. These
 men entered into an agreement with Argyle and
 the Scottish malecontents; who engaged, that,
 upon

upon the payment of 10,000 pounds for the purchase of arms in Holland, they would bring the covenanters into the field. Insurrections likewise were a-new projected in Cheshire, and the west, as well as in the city; and some meetings of the leaders were held, in order to reduce these projects into form. The conspirators differed extremely in their views. Sidney was passionate for a commonwealth. Essex had embraced the same project. But Monmouth had entertained hopes of acquiring the crown for himself. Russel, as well as Hambden, was much attached to the ancient constitution, and intended only the exclusion of the duke and the redress of grievances. Lord Howard was a man of no principle, and was ready to embrace any party, which his immediate interest should recommend to him. But notwithstanding this difference of characters and of views, their common hatred of the duke and the present administration united them in one party; and the dangerous experiment of an insurrection was fully resolved on.

WHILE these schemes were concerting among the leaders, there was an inferior order of conspirators, who held frequent meetings; and, together with the insurrection, carried on projects quite unknown to Monmouth, and the cabal of six. Among these men were colonel Rumsey, an old republican officer, who had distinguished himself in Portugal, and had been recommended to the king by mareschal Schomberg; lieutenant colonel Walcot, likewise a republican officer;

Rye-house
plot.

C H A P. Goodenough, undersheriff of London, a zealous
 LXIX. and noted party - man ; West, Tyley, Norton,
 1683. Ayloff, Lawyers ; Ferguson, Rouse, Hone,
 Keiling, Holloway, Bourne, Lee, Rumbald.
 Most of these last were merchants or tradesmen;
 and the only persons of this confederacy, who
 had access to the leaders of the party, were
 Rumsey and Ferguson. When these men met
 together, they indulged themselves in the most
 desperate and most criminal discourse: They fre-
 quently mentioned the assassination of the king
 and the duke, to which they had given the
 familiar appellation of *lopping*: They even went
 so far as to have thought of a scheme for that
 purpose. Rumbald, who was a maltster, possessed
 a farm, called the Rye-house, which lay on the
 road to Newmarket, whither the king commonly
 went once a-year, for the diversion of the races.
 A plan of this farm had been laid before some of
 the conspirators by Rumbald, who showed them
 how easy it would be, by over-turning a cart,
 to stop at that place the king's coach; while they
 might fire upon him from the hedges, and be
 enabled afterwards, through by-lanes and crosses
 the fields, to make their escape. But though the
 plausibility of this scheme gave great pleasure to
 the conspirators, no concerted design was as yet
 laid, nor any men, horses, or arms provided:
 The whole was little more than loose discourse,
 the overflowings of their zeal and rancor. The
 house, in which the king lived at Newmarket,
 took fire accidentally; and he was obliged to

leave that place eight days sooner than he intended. To this circumstance his safety was afterwards ascribed, when the conspiracy was detected; and the court-party could not sufficiently admire the wise dispensations of providence. It is indeed certain, that as the king had thus unexpectedly left Newmarket, he was worse attended than usual; and Rumbald informed his confederates with regret what a fine opportunity was thus unfortunately lost.

C H A T.
LXIX.
1683.

AMONG the conspirators I have mentioned Keiling, a falter in London. This man had been engaged in a bold measure, of arresting the mayor of London, at the suit of Papillon and Dubois, the outed sheriffs; and being liable to prosecution for that action, he thought it safest to purchase a pardon, by revealing the conspiracy, in which he was deeply concerned. He brought to secretary Jenkins intelligence of the assassination-plot; but as he was a single evidence, the secretary, whom many false plots had probably rendered incredulous, scrupled to issue warrants for the commitment of so great a number of persons. Keiling therefore, in order to fortify his testimony, engaged his brother in treasonable discourse with Goodenough, one of the conspirators; and Jenkins began now to give more attention to the intelligence. The conspirators had got some hint of the danger, in which they were involved; and all of them concealed themselves. One person alone, of the name of Barber, an instrument-maker, was seized; and as his

Conspiracy
discovered.

12th June.

C H A P. confession concurred in many particulars with
 LXIX. Keiling's information, the affair seemed to be put
 1683. out of all question ; and a more diligent search
 was every where made after the conspirators.

WEST, the lawyer, and colonel Rumsey, finding the perils, to which they were exposed in endeavouring to escape, resolved to save their own lives at the expense of their companions; and they surrendered themselves with an intention of becoming evidence. West could do little more than confirming the testimony of Keiling with regard to the assassination-plot; but Rumsey, besides giving additional confirmation of the same design, was at last, though with much difficulty, led to reveal the meetings at Shephard's. Shephard was immediately apprehended; and had not courage to maintain fidelity to his confederates. Upon his information, orders were issued for arresting the great men engaged in the conspiracy. Monmouth absconded: Russel was sent to the Tower: Gray was arrested, but escaped from the messenger: Howard was taken, while he concealed himself in a chimney; and being a man of profligate morals, as well as indigent circumstances, he scrupled not, in hopes of a pardon and a reward, to reveal the whole conspiracy. Essex, Sidney, Hambden were immediately apprehended upon his evidence. Every day some of the conspirators were detected in their lurking-places, and thrown into prison.

Execution of
 the con-
 spirators.

LIEUTENANT COLONEL WALCOT was first brought to his trial. This man, who was once

noted for bravery, had been so far overcome by the love of life, that he had written to secretary Jenkins, and had offered upon promise of pardon to turn evidence: But no sooner had he taken this mean step, than he felt more generous sentiments arise in him; and he endeavoured, though in vain, to conceal himself. The witnesses against him were Rumsey, West, Shephard, together with Bourne, a brewer. His own letter to the secretary was produced, and rendered the testimony of the witnesses unquestionable. Hone and Rouse were also condemned. These two men, as well as Walcot, acknowledged, at their execution, the justice of the sentence; and from their trial and confession it is sufficiently apparent, that the plan of an insurrection had been regularly formed; and that even the assassination had been often talked of, and not without the approbation of many of the conspirators.

THE condemnation of these criminals was probably intended as a preparative to the trial of lord Russel, and served to impress the public with a thorough belief of the conspiracy, as well as a horror against it. The witnesses produced against the noble prisoner were Rumsey, Shephard, and lord Howard. Rumsey swore, that he himself had been introduced to the cabal at Shephard's, where Russel was present; and had delivered them a message from Shaftesbury, urging them to hasten the intended insurrection; But had received for answer, that it was found necessary to delay the design, and that Shaftesbury must therefore, for

Trial of lord
Russel.

LXIX.
1683.

C H A P. some time, rest contented. This answer, he said,
 LXIX. was delivered by Ferguson; but was assented to
 1683. by the prisoner. He added, that some discourse
 had been entered into about taking a survey of
 the guards; and he thought that Monmouth,
 Gray, and Armstrong undertook to view them.
 Shephard deposed, that his house had beforehand
 been bespoken by Ferguson for the secret meeting
 of the conspirators, and that he had been careful
 to keep all his servants from approaching them,
 and had served them himself. Their discourse,
 he said, ran chiefly upon the means of surprising
 the guards; and it was agreed, that Monmouth
 and his two friends should take a survey of them.
 The report, which they brought next meeting,
 was, that the guards were remiss, and that the
 design was practicable: But he did not affirm,
 that any resolution was taken of executing it.
 The prisoner, he thought, was present at both
 these meetings; but he was sure, that at least he
 was present at one of them. A declaration, he
 added, had been read by Ferguson in Russel's
 presence: The reasons of the intended insurrection
 were there set forth, and all the public grievances
 fully displayed.

LORD HOWARD had been one of the cabal of
 six, established after Shaftesbury's flight, and two
 meetings had been held by the conspirators, one
 at Hambden's, another at Russel's. Howard de-
 posed, that, at the first meeting, it was agreed
 to begin the insurrection in the country before
 the city; the places were fixed, the proper quan-

tity and kind of arms agreed on, and the whole plan of operations concerted: That at the second meeting, the conversation chiefly turned upon their correspondence with Argyle and the discontented Scots; and that the principal management of that affair was intrusted to Sidney, who had sent one Aaron Smith into Scotland with proper instructions. He added, that in these deliberations no question was put, or votes collected; but there was no contradiction; and, as he took it, all of them, and the prisoner among the rest, gave their consent.

C H A P.
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1683.

RUMSEY and Shephard were very unwilling witnesses against lord Ruffel; and it appears from Gray's Secret History⁹, that, if they had pleased, they could have given a more explicit testimony against him. This reluctance, together with the difficulty in recollecting circumstances of a conversation, which had passed above eight months before, and which the persons had not at that time any intention to reveal, may beget some slight objection to their evidence. But on the whole, it was undoubtedly proved, that the insurrection had been deliberated on by the prisoner, and fully resolved; the surprisal of the guards deliberated on, but not fully resolved; and that an assassination had never once been mentioned nor imagined by him. So far the matter of fact seems certain: But still, with regard to law,

⁹ Page 43.

C H A P. there remained a difficulty, and that of an important nature.

LXIX.

1683.

THE English laws of treason, both in the manner of defining that crime, and in the proof required, are the mildest and most indulgent, and consequently the most equitable, that are any where to be found. The two chief species of treason, contained in the statute of Edward III, are the compassing and intending of the king's death, and the actually levying of war against him; and by the law of Mary, the crime must be proved by the concurring testimony of two witnesses, to some overt act, tending to these purposes. But the lawyers, partly desirous of paying court to the sovereign, partly convinced of ill consequences, which might attend such narrow limitations, had introduced a greater latitude, both in the proof and definition of the crime. It was not required, that the two witnesses should testify the same precise overt act: It was sufficient, that they both testified some overt act of the same treason; and though this evasion may seem a subtilty, it had long prevailed in the courts of judicature, and had at last been solemnly fixed by parliament at the trial of lord Stafford. The lawyers had used the same freedom with the law of Edward III. They had observed, that, by that statute, if a man should enter into a conspiracy for a rebellion, should even fix a correspondence with foreign powers for that purpose, should provide arms and money, yet, if he were detected and no rebellion ensued,

he could not be tried for treason. To prevent this inconvenience, which it had been better to remedy by a new law, they had commonly laid their indictment for intending the death of the king, and had produced the intention of rebellion as a proof of that other intention. But though this form of indictment and trial was very frequent, and many criminals had received sentence upon it, it was still considered as somewhat irregular, and was plainly confounding, by a sophism, two species of treason, which the statute had accurately distinguished. What made this refinement still more exceptionable, was, that a law had passed soon after the restoration; in which the consulting or the intending of a rebellion, was, during Charles's life-time, declared treason; and it was required, that the prosecution should be commenced within six months after the crime was committed. But notwithstanding this statute, the lawyers had persevered, as they still do persevere, in the old form of indictment; and both Sir Harry Vane and Oliver Plunket, titular primate of Ireland, had been tried by it. Such was the general horror, entertained against the old republicans, and the popish conspirators, that no one had murmured against this interpretation of the statute; and the lawyers thought, that they might follow the precedent, even in the case of the popular and beloved lord Russel. Russel's crime fell plainly within the statute of Charles the II^d; but the facts sworn to by Rumsey and Shephard

C H A P.

LXIX.

1683.

C H A P. were beyond the six months required by law,
 LXIX. and to the other facts Howard was a single
 1683. witness. To make the indictment, therefore,
 more extensive, the intention of murdering the
 king was comprehended in it; and for proof of
 this intention the conspiracy for raising a rebel-
 lion was assigned; and what seemed to bring the
 matter still nearer, the design of attacking the
 king's guards.

RUSSEL perceived this irregularity, and desired
 to have the point argued by counsel: The chief
 justice told him, that this favor could not be
 granted, unless he previously confessed the facts
 charged upon him. The artificial confounding
 of the two species of treason, though a practice
 supported by many precedents, is the chief, but
 not the only hardship, of which Russel had reason
 to complain on his trial. His defence was feeble;
 and he contented himself with protesting, that
 he never had entertained any design against the
 life of the king: His veracity would not allow
 him to deny the conspiracy for an insurrection.
 The jury were men of fair and reputable cha-
 racters, but zealous royalists: After a short de-
 liberation, they brought in the prisoner guilty.

APPLICATIONS were made to the king for a
 pardon: Even money, to the amount of a hundred
 thousand pounds, was offered to the dutchess of
 Portsmouth by the old earl of Bedford, father to
 Russel. The king was inexorable. He had been
 extremely harassed with the violence of the
 country-party; and he had observed, that the

prisoner, besides his secret designs, had always been carried to the highest extremity of opposition in parliament. Russel had even adopted a sentiment, similar to what we meet with in a letter of the younger Brutus. Had his father, he said, advised the king to reject the exclusion-bill, he would be the first to move for a parliamentary impeachment against him. When such determined resolution was observed, his popularity, his humanity, his justice, his very virtues became so many crimes, and were used as arguments against sparing him. Charles therefore would go no farther than remitting the more ignominious part of the sentence, which the law requires to be pronounced against traitors. "Lord Russel," said he, "shall find, that I am possessed of that prerogative, which, in the case of lord Stafford, he thought proper to deny me." As the fury of the country-party had rendered it impossible for the king, without the imminent danger of his crown, to pardon so many catholics, whom he firmly believed innocent, and even affectionate and loyal to him; he probably thought, that, since the edge of the law was now ready to fall upon that party themselves, they could not reasonably expect, that he would interpose to save them.

RUSSEL's consort, a woman of virtue, daughter and heir of the good earl of Southampton, threw herself at the king's feet, and pleaded with many tears the merits and loyalty of her father, as an atonement for those errors, into which honest,

C H A P. LXIX. 1683. however mistaken principles had seduced her husband. These supplications were the last instance of female weakness (if they deserve the name) which she betrayed. Finding all applications vain, she collected courage, and not only fortified herself against the fatal blow, but endeavoured by her example to strengthen the resolution of her unfortunate lord. With a tender and decent composure they took leave of each other on the day of his execution. "The bitterness of death" is now past," said he, when he turned from her. Lord Cavendish had lived in the closest intimacy with Russel, and deserted not his friend in the present calamity. He offered to manage his escape, by changing clothes with him, and remaining at all hazards in his place. Russel refused to save his own life, by an expedient which might expose his friend to so many hardships. When the duke of Monmouth by message offered to surrender himself, if Russel thought that this measure would any wise contribute to his safety; "It will be no advantage to me," he said, "to have my friends die with me." Some of his expressions discover, not only composure, but good humor in this melancholy extremity. The day before his execution he was seized with a bleeding at the nose. "I shall not now let blood" to divert this distemper," said he to doctor Burnet who attended him, "that will be done" to-morrow." A little before the sheriffs conducted him to the scaffold, he wound up his watch, "Now I have done," said he, "with

“time and henceforth must think solely of C H A P.
“eternity.”

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21st July.

THE scaffold was erected in Lincoln's Inn Fields, a place distant from the Tower; and it was probably intended, by conducting Russel through so many streets, to show the mutinous city their beloved leader, once the object of all their confidence, now exposed to the utmost rigors of the law. As he was the most popular among his own party; so was he ever the least obnoxious to the opposite faction: And his melancholy fate united every heart, sensible of humanity, in a tender compassion for him. Without the least change of countenance, he laid his head on the block; and at two strokes, it was severed from his body.

and execu-
tion.

IN the speech, which he delivered to the sheriffs, he was very anxious to clear his memory from any imputation of ever intending the king's death, or any alteration in the government: He could not explicitly confess the projected insurrection without hurting his friends, who might still be called in question for it; but he did not purge himself of that design, which, in the present condition of the nation, he regarded as no crime. By many passages in his speech he seems to the last to have lain under the influence of party zeal; a passion, which, being nourished by a social temper, and clothing itself under the appearance of principle, it is almost impossible for a virtuous man, who has acted in public life, ever thoroughly to eradicate. He professed his

C H A P. entire belief in the popish plot : And he said ,
LXIX. that , though he had often heard the seizure of
1683. the guards mentioned , he had ever disapproved
 of that attempt. To which he added , that the
 massacring of so many innocent men in cool
 blood was so like a popish practice , that he could
 not but abhor it. Upon the whole , the integrity
 and virtuous intentions , rather than the capacity ,
 of this unfortunate nobleman , seem to have been
 the shining parts of his character.

**Trial of Al-
 gernon Sid-
 ney.**

ALGERNON SIDNEY was next brought to his
 trial. This gallant person , son of the earl of
 Leicester , had entered deeply into the war against
 the late king ; and though nowise tainted with
 enthusiasm , he had so far shared in all the counsels
 of the independent republican party , as to have
 been named on the high court of justice , which
 tried and condemned that monarch : He thought
 not proper , however , to take his seat among the
 judges. He ever opposed Cromwel's usurpation
 with zeal and courage ; and after making all
 efforts against the restoration , he resolved to
 take no benefit of the general indemnity , but
 chose voluntary banishment , rather than submit
 to a government and family , which he abhorred.
 As long as the republican party had any existence ,
 he was active in every scheme , however unpromising ,
 which tended to promote their cause :
 But at length , in 1677 , finding it necessary for
 his private affairs to return to England , he had
 applied for the king's pardon , and had obtained
 it. When the factions , arising from the popish

plot, began to run high, Sidney, full of those ideas of liberty, which he had imbibed from the great examples of antiquity, joined the popular party; and was even willing to seek a second time, through all the horrors of civil war, for his adored republic.

FROM this imperfect sketch of the character and conduct of this singular personage, it may easily be conceived how obnoxious he was become to the court and ministry: What alone renders them blamable was the illegal method, which they took, for effecting their purpose against him. On Sidney's trial they produced a great number of witnesses, who proved the reality of a plot in general; and when the prisoner exclaimed, that all these evidences said nothing of him, he was answered, that this method of proceeding, however irregular, had been practised in the prosecutions of the popish conspirators: A topic more fit to condemn one party than to justify the other. The only witness, who deposed against Sidney, was lord Howard; but as the law required two witnesses, a strange expedient was fallen on to supply this deficiency. In ransacking the prisoner's closet, some discourses on government were found; in which he had maintained principles, favorable indeed to liberty, but such as the best and most dutiful subjects in all ages have been known to embrace; the original contract, the source of power from a consent of the people, the lawfulness of resisting tyrants, the preference of liberty to the government of a

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C H A P. single person. These papers were asserted to be
 LXIX. equivalent to a second witness, and even to
 1683. many witnesses. The prisoner replied, that there
 was no other reason for ascribing these papers
 to him as the author, besides a similitude of
 hand; a proof, which was never admitted in
 criminal prosecutions: That allowing him to be
 the author, he had composed them solely for his
 private amusement, and had never published them
 to the world, or even communicated them to
 any single person: That, when examined, they
 appeared, by the color of the ink to have been
 written many years before, and were in vain
 produced as evidence of a present conspiracy
 against the government: And that where the law
 positively requires two witnesses, one witness,
 attended with the most convincing circumstances,
 could never suffice; much less, when supported
 by a circumstance so weak and precarious. All
 these arguments, though urged by the prisoner
 with great courage and pregnancy of reason, had
 no influence. The violent and inhuman Jefferies
 was now chief justice; and by his direction a partial
 jury was easily prevailed on to give verdict against
 Sidney. His execution followed a few days after:
 He complained, and with reason, of the iniquity
 of the sentence; but he had too much greatness
 of mind to deny those conspiracies with Mon-
 mouth and Russel, in which he had been engaged.
 He rather gloried, that he now suffered for that
good old cause, in which, from his earliest youth,
 he said, he had enlisted himself.

THE

THE execution of Sidney is regarded as one of the greatest blemishes of the present reign. The evidence against him, it must be confessed, was not legal; and the jury, who condemned him, were, for that reason, very blamable. But that after sentence passed by a court of judicature, the king should interpose and pardon a man, who, though otherwise possessed of merit, was undoubtedly guilty, who had ever been a most inflexible and most inveterate enemy to the royal family, and who lately had even abused the king's clemency, might be an act of heroic generosity, but can never be regarded as a necessary and indispensable duty.

HOWARD was also the sole evidence against Hambden; and his testimony was not supported by any material circumstance. The crown-lawyers therefore found it in vain to try the prisoner for treason: They laid the indictment only for a misdemeanour, and obtained sentence against him. The fine imposed was exorbitant; no less than forty thousand pounds.

HOLLOWAY, a merchant of Bristol, one of the conspirators, had fled to the West-Indies, and was now brought over. He had been outlawed; but the year, allowed him for surrendering himself, was not expired. A trial was therefore offered him: But as he had at first confessed his being engaged in a conspiracy for an insurrection, and even allowed that he had heard some discourse of an assassination, though he had not approved of it, he thought it more expedient

C H A P. to throw himself on the king's mercy. He was
 LXIX. executed, persisting in the same confession.

1683.

SIR THOMAS ARMSTRONG, who had been seized in Holland, and sent over by Chidley, the king's minister, was precisely in the same situation with Holloway: But the same favor, or rather justice, was refused him. The lawyers pretended, that, unless he had voluntarily surrendered himself before the expiration of the time assigned, he could not claim the privilege of a trial; not considering that the seizure of his person ought in equity to be supposed the accident which prevented him. The king bore a great enmity against this gentleman, by whom he believed the duke of Monmouth to have been seduced from his duty: He also asserted that Armstrong had once promised Cromwel to assassinate him; though it must be confessed, that the prisoner justified himself from this imputation by very strong arguments. These were the reasons of that injustice, which was now done him. It was apprehended, that sufficient evidence of his guilt could not be produced; and that even the partial juries, which were now returned, and which allowed themselves to be entirely directed by Jefferies and other violent judges; would not give sentence against him.

ON the day that Russel was tried, Essex, a man eminent both for virtues and abilities, was found in the Tower with his throat cut. The coroner's inquest brought in their verdict, *self-murder*: Yet because two children ten years old

(one of whom too departed from his evidence) had affirmed, that they heard a great noise from his window, and that they saw a hand throw out a bloody razor; these circumstances were laid hold of, and the murder was ascribed to the king and the duke, who happened that morning to pay a visit to the Tower. Essex was subject to fits of deep melancholy, and had been seized with one immediately upon his commitment: He was accustomed to maintain the lawfulness of suicide: And his countess, upon a strict inquiry, which was committed to the care of Dr. Burnet, found no reason to confirm the suspicion: Yet could not all these circumstances, joined to many others, entirely remove the imputation. It is no wonder, that faction is so productive of vices of all kinds: For, besides that it inflames all the passions, it tends much to remove those great restraints, honor and shame; when men find, that no iniquity can lose them the applause of their own party, and no innocence secure them against the calumnies of the opposite.

BUT though there is no reason to think, that Essex had been murdered by any orders from court, it must be acknowledged that an unjustifiable use in Russel's trial was made of that incident. The king's counsel mentioned it in their pleadings as a strong proof of the conspiracy; and it is said to have had great weight with the jury. It was insisted on in Sidney's trial for the same purpose.

SOME memorable causes, tried about this time,

C H A P. though they have no relation to the Rye-house
 LXIX. conspiracy, show the temper of the bench and
 1683. of the juries. Oates was convicted of having
 called the duke a popish traitor; was condemned
 in damages to the amount of one hundred thou-
 sand pounds; and was adjudged to remain in
 prison till he should make payment. A like
 sentence was passed upon Dutton-Colt for a like
 offence. Sir Samuel Barnardiston was fined ten
 thousand pounds; because in some private letters
 which had been intercepted, he had reflected on
 the government. This gentleman was obnoxious,
 because he had been foreman of that jury, which
 rejected the bill against Shaftesbury. A pretence
 was therefore fallen upon for punishing him;
 though such a precedent may justly be deemed
 a very unusual act of severity, and sufficient to
 destroy all confidence in private friendship and
 correspondence.

THERE is another remarkable trial, which
 shows the disposition of the courts of judicature,
 and which, though it passed in the ensuing year,
 it may not be improper to relate in this place.
 One Rosewel, a presbyterian preacher, was ac-
 cused by three women of having spoken trea-
 sonable words in a sermon. They swore to two
 or three periods, and agreed so exactly together,
 that there was not the smallest variation in their
 depositions. Rosewel on the other hand made a
 very good defence. He proved, that the wit-
 nesses were lewd and infamous persons. He
 proved, that, even during Cromwel's usurpations,

he had always been a royalist ; that he prayed constantly for the king in his family : and that in his sermons he often inculcated the obligations of loyalty. And as to the sermon, of which he was accused, several witnesses, who heard it, and some who wrote it in short hand, deposed that he had used no such expressions as those which were imputed to him. He offered his own notes as a farther proof. The women could not show by any circumstance or witness, that they were at his meeting. And the expressions, to which they deposed, were so gross, that no man in his senses could be supposed to employ them before a mixt audience. It was also urged, that it appeared next to impossible for three women to remember so long a period upon one single hearing, and to remember it so exactly, as to agree to a tittle in their depositions with regard to it. The prisoner offered to put the whole upon this issue : He would pronounce, with his usual tone of voice, a period as long as that to which they had sworn ; and then let them try to repeat it, if they could. What was more unaccountable, they had forgotten even the text of his sermon ; nor did they remember any single passage, but the words, to which they gave evidence. After so strong a defence, the solicitor general thought not proper to make any reply : Even Jefferies went no farther than some general declamations against conventicles and presbyterians ; Yet so violent were party-prejudices, that the jury gave a verdict against the prisoner ;

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C H A P. which however appeared so palpably unjust, that
 LXIX. it was not carried into execution.

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THE duke of Monmouth had absconded on the first discovery of the conspiracy; and the court could get no intelligence of him. At length, Halifax, who began to apprehend the too great prevalence of the royal party, and who thought, that Monmouth's interest would prove the best counterpoise to the duke's, discovered his retreat, and prevailed on him to write two letters to the king, full of the tenderest and most submissive expressions. The king's fondness was revived; and he permitted Monmouth to come to court. He even endeavoured to mediate a reconciliation between his son and his brother; and having promised Monmouth, that his testimony should never be employed against any of his friends, he engaged him to give a full account of the plot. But, in order to put the country-party to silence, he called next day an extraordinary council; and informed them, that Monmouth had showed great penitence for the share which he had had in the late conspiracy, and had expressed his resolutions never more to engage in such criminal enterprizes. He went so far as to give orders, that a paragraph to the like purpose should be inserted in the Gazette. Monmouth kept silence till he had obtained his pardon in form: But finding, that, by taking this step, he was entirely disgraced with his party, and that, even though he should not be produced in court as an evidence, his testimony, being so publicly

known, might have weight with juries on any future trial, he resolved at all hazards to retrieve his honor. His emissaries, therefore, received orders to deny, that he had ever made any such confession as that which was imputed to him; and the party exclaimed, that the whole was an imposture of the court. The king provoked at this conduct, banished Monmouth his presence, and afterwards ordered him to depart the kingdom.

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THE court was aware, that the malecontents in England had held a correspondence with those of Scotland; and that Baillie of Jerviswood, a man of merit and learning, with two gentlemen of the name of Campbel, had come to London, under pretence of negociating the settlement of the Scottish presbyterians in Carolina, but really with a view of concerting measures with the English conspirators. Baillie was sent prisoner to Edinburgh; but as no evidence appeared against him, the council required him to swear, that he would answer all questions, which should be propounded to him. He refused to submit to so iniquitous a condition; and a fine of six thousand pounds was imposed upon him. At length, two persons, Spence and Carstares, being put to the torture, gave evidence which involved the earl of Tarras and some others, who, in order to save themselves, were reduced to accuse Baillie. He was brought to trial; and being in so languishing a condition from the treatment which he had met with in prison, that it was feared he would not survive that night, he was ordered to

C H A P. be executed the very afternoon on which he
 LXIX. received sentence.

1683.

THE severities, exercised during this part of the present reign, were much contrary to the usual tenor of the king's conduct; and though those who studied his character more narrowly, have pronounced, that towards great offences he was rigid and inexorable, the nation were more inclined to ascribe every unjust or hard measure to the prevalence of the duke, into whose hands the king had, from indolence, not from any opinion of his brother's superior capacity, resigned the reins of government. The crown indeed gained great advantage from the detection of the conspiracy, and lost none by the rigorous execution of the conspirators: The horror entertained against the assassination-plot, which was generally confounded with the project for an insurrection, rendered the whole party unpopular, and reconciled the nation to the measures of the court. The most loyal addresses came from all parts; and the doctrine of submission to the civil magistrate, and even of an unlimited passive obedience, became the reigning principle of the times. The university of Oxford passed a solemn decree, condemning some doctrines, which they termed republican, but which indeed are, most of them, the only tenets, on which liberty and a limited constitution can be founded. The faction of the exclusionists, lately so numerous, powerful, and zealous, were at the king's feet; and were as much fallen in their spirit as in their credit with the

nation. Nothing that had the least appearance of opposition to the court, could be hearkened to by the public¹⁰. C H A P.
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THE king endeavoured to increase his present popularity by every art; and knowing, that the suspicion of popery was of all others the most dangerous, he judged it proper to marry his niece, the lady Anne, to prince George, brother to the king of Denmark. All the credit, however, and persuasion of Halifax could not engage him to call a parliament, or trust the nation with the election of a new representative. Though his revenues were extremely burthened, he rather chose to struggle with the present difficulties, than try an experiment, which, by raising a-fresh so many malignant humors, might prove dangerous to his repose. The duke likewise zealously opposed this proposal, and even engaged the king in measures, which could have no tendency, but to render any accommodation with a parliament altogether impracticable. Williams, who had been speaker during the two last parliaments, was prosecuted for warrants, issued by him, in obedience to orders of the house: A breach of privilege, which, it seemed not likely, any

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¹⁰ In the month of November this year died Prince Rupert, in the sixty-third year of his age. He had left his own country so early, that he had become an entire Englishman, and was even suspected, in his latter days, of a bias to the country-party. He was for that reason much neglected at court. The duke of Lauderdale died also this year.

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future house of commons would leave unquestioned. Danby and the popish lords, who had so long been confined in the Tower, and who saw no prospect of a trial in parliament, applied by petition, and were admitted to bail: A measure just in itself, but deemed a great encroachment on the privileges of that assembly. The duke, contrary to law, was restored to the office of high admiral, without taking the test.

State of
foreign af-
fairs.

HAD the least grain of jealousy or emulation been mixed in the king's character; had he been actuated by that concern for his people's or even for his own honor, which his high station demanded, he would have hazarded many domestic inconveniences rather than allow France to domineer in so haughty a manner as that which at present she assumed in every negociation. The peace of Nimeguen, imposed by the Dutch on their unwilling allies, had disjointed the whole confederacy; and all the powers, engaged in it, had disbanded their supernumerary troops, which they found it difficult to subsist. Lewis alone still maintained a powerful army, and by his preparations rendered himself every day more formidable. He now acted as if he were the sole sovereign in Europe, and as if all other princes were soon to become his vassals. Courts or chambers were erected in Metz and Brisac, for re-uniting such territories as had ever been members of any part of his new conquests. They made inquiry into titles buried in the most remote antiquity. They cited the neighbouring

princes to appear before them, and issued decrees, expelling them the contested territories. The important town of Strasburgh, an ancient and a free state, was seized by Lewis: Alost was demanded of the Spaniards, on a frivolous, and even ridiculous pretence; and upon their refusal to yield it, Luxemburgh was blockaded, and soon after taken ¹¹. Genoa had been bombarded, because the Genoese had stipulated to build some gallies for the Spaniards; and, in order to avoid more severe treatment, that republic was obliged to yield to the most mortifying conditions. The empire was insulted in its head and principal members; and used no other expedient for redress, than impotent complaints and remonstrances.

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SPAIN was so enraged at the insolent treatment which she met with, that, without considering her present weak condition, she declared war against her haughty enemy: She hoped that the other powers of Europe, sensible of the common danger, would fly to her assistance. The prince of Orange, whose ruling passions were love of war and animosity against France, seconded every where the applications of the Spaniards. In the year 1681, he made a journey to England, in order to engage the king into closer measures with the confederates. He also proposed to the

¹¹ It appears from Sir John Dalrymple's Appendix, that the king received from France a million of livres for his connivance at the seizure of Luxemburgh, beside his ordinary pension.

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States to make an augmentation of their forces; but several of the provinces, and even the town of Amsterdam, had been gained by the French, and the proposal was rejected. The prince's enemies derived the most plausible reasons of their opposition from the situation of England, and the known and avowed attachments of the English monarch.

No sooner had Charles dismissed his parliament, and embraced the resolution of governing by prerogative alone, than he dropped his new alliance with Spain and returned to his former dangerous connexions with Lewis. This prince had even offered to make him arbiter of his differences with Spain; and the latter power, sensible of Charles's partiality, had refused to submit to such a disadvantageous proposal. Whether any money was now remitted to England, we do not certainly know: But we may fairly presume, that the king's necessities were in some degree relieved by France¹². And though

¹² The following passage is an extract from M. Barillon's letters kept in the *Dépôt des Affaires étrangères* at Versailles. It was lately communicated to the author while in France. Convention verbale arrêtée le 1 avril 1681. Charles II s'engage à ne rien omettre pour pouvoir faire connoître à sa majesté qu'elle avoit raison de prendre confiance en lui; à se dégager peu à peu de l'alliance avec l'Espagne, & à se mettre en état de ne point être contraint par son parlement de faire quelque chose d'opposé aux nouveaux engagements qu'il prenoit. En conséquence le roi promet un subside de deux millions la première des trois années de cet engagement, & 500,000 écus les deux autres, se

Charles had reason to apprehend the utmost danger from the great, and still increasing, naval power of that kingdom, joined to the weak condition of the English fleet, no consideration was able to rouse him from his present lethargy.

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It is here we are to fix the point of the highest exaltation, which the power of Lewis or that of any European prince, since the age of Charlemagne, had ever attained. The monarch, most capable of opposing his progress was entirely engaged in his interests; and the Turks, invited by the malecontents of Hungary, were preparing to invade the emperor, and to disable that prince from making head against the progress of the French power. Lewis may even be accused of oversight, in not making sufficient advantage of such favorable opportunities, which he was never afterwards able to recal. But that monarch, though more governed by motives of ambition than by those of justice or moderation, was still more actuated by the suggestions of vanity. He contented himself with insulting and domineering over all the princes and free states of Europe;

contentant de la parole de sa majesté Britannique, d'agir à l'égard de sa majesté conformément aux obligations qu'il lui avoit. Le Sr. Hyde demanda que le roi s'engagea à ne point attaquer les Pays-bas & même Strasbourg, témoignant que le roi son maître ne pourroit s'empêcher de secourir les Pays-bas, quand même son parlement ne feroit point assemblé. M. Barillon lui répondit en termes généraux par ordre du roi, que sa majesté n'avoit point intention de rompre la paix, & qu'il n'engageroit pas sa majesté Britannique en choses contraires à ses véritables intérêts.

C H A P. and he thereby provoked their resentment, without subduing their power. While every one, LXIX. who approached his person, and behaved with submission to his authority, was treated with the highest politeness; all the neighbouring potentates had successively felt the effects of his haughty, imperious disposition. And by indulging his poets, orators, and courtiers in their flatteries, and in their prognostications of universal empire, he conveyed faster, than by the prospect of his power alone, the apprehension of general conquest and subjection.

1625.

THE French greatness never, during his whole reign, inspired Charles with any apprehensions; and Clifford, it is said, one of his most favored ministers, went so far as to affirm, that it were better for the king to be viceroy under a great and generous monarch, than a slave to five hundred of his own insolent subjects. The ambition, therefore, and uncontrolled power of Lewis were no diminution of Charles's happiness; and in other respects his condition seemed at present more eligible than it had ever been since his restoration. A mighty faction, which had shaken his throne, and menaced his family, was totally subdued; and by their precipitate indiscretion had exposed themselves both to the rigor of the laws and to public hatred. He had recovered his former popularity in the nation; and what probably pleased him more than having a compliant parliament, he was enabled to govern altogether without one. But it is certain, that

the king, amidst all these promising circumstances, was not happy or satisfied. Whether he found himself exposed to difficulties for want of money, or dreaded a recoil of the popular humor from the present arbitrary measures, is uncertain. Perhaps the violent, imprudent temper of the duke, by pushing Charles upon dangerous attempts, gave him apprehension and uneasiness. He was overheard one day to say, in opposing some of the duke's hasty counsels, "Brother, I am too old to go again to my travels: You may, if you chuse it." Whatever was the cause of the king's dissatisfaction, it seems probable, that he was meditating some change of measures, and had formed a new plan of administration. He was determined, it is thought, to send the duke to Scotland, to recal Monmouth, to summon a parliament, to dismiss all his unpopular ministers, and to throw himself entirely on the good will and affections of his subjects¹³. Amidst these truly wise and virtuous designs, he was seized with a sudden fit, which resembled an apoplexy; and though he was recovered from it by bleeding, he languished only for a few days, and then expired, in the fifty-fifth year of his age, and twenty-fifth of his reign. He was so happy in a good constitution of body, and had ever been so remarkably careful of his health, that his death struck as

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1685.

King's sickness,

and death,
6th Feb.

¹³ King James's Memoirs confirm this rumor, as also D'Avaux's Negotiations, 14 Dec. 1684.

C H A P. great a surprise into his subjects, as if he had
 LXIX. been in the flower of his youth. And their great
 1685. concern for him, owing to their affection for
 his person, as well as their dread of his successor,
 very naturally, when joined to the critical time
 of his death, begat the suspicion of poison. All
 circumstances however considered, this suspicion
 must be allowed to vanish; like many others,
 of which all histories are full.

DURING the few days of the king's illness,
 clergymen of the church of England attended
 him; but he discovered a total indifference to-
 wards their devotions and exhortations. Catholic
 priests were brought, and he received the sacra-
 ment from them, accompanied with the other
 rites of the Romish church. Two papers were
 found in his cabinet, written with his own hand,
 and containing arguments in favor of that com-
 munion. The duke had the imprudence im-
 mediately to publish these papers, and thereby
 both confirmed all the reproaches of those who
 had been the greatest enemies to his brother's
 measures, and afforded to the world a specimen
 of his own bigotry.

and cha-
 racter.

IF we survey the character of Charles II. in
 the different lights, which it will admit of, it
 will appear various, and give rise to different and
 even opposite sentiments. When considered as a
 companion, he appears the most amiable and
 engaging of men; and indeed, in this view, his
 deportment must be allowed altogether unex-
 ceptionable. His love of raillery was so tempered
 with

with good breeding, that it was never offensive: His propensity to satire was so checked with discretion, that his friends never dreaded their becoming the object of it: His wit, to use the expression of one who knew him well, and who was himself a good judge¹⁴, could not be said so much to be very refined or elevated, qualities apt to beget jealousy and apprehension in company, as to be a plain, gaining, well-bred, recommending kind of wit. And though perhaps he talked more than strict rules of behaviour might permit, men were so pleased with the affable, communicative deportment of the monarch, that they always went away contented both with him and with themselves. This indeed is the most shining part of the king's character; and he seems to have been sensible of it: For he was fond of dropping the formality of state, and of relapsing every moment into the companion.

IN the duties of private life his conduct, though not free from exception, was, in the main, laudable. He was an easy generous lover, a civil obliging husband, a friendly brother, an indulgent father, and a goodnatured master¹⁵. The voluntary friendships, however, which this prince contracted, nay, even his sense of gratitude, were feeble; and he never attached himself to any of his ministers or courtiers with a sincere affection. He believed them to have no motive in serving him but self-interest; and he was still

¹⁴ Marquis of Halifax. ¹⁵ Duke of Buckingham.

CHAP. ready, in his turn, to sacrifice them to present
 LXIX. ease or convenience.

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WITH a detail of his private character we must set bounds to our panegyric on Charles. The other parts of his conduct may admit of some apology, but can deserve small applause. He was indeed so much fitted for private life, preferably to public, that he even possessed order, frugality, and œconomy in the former: Was profuse, thoughtless, and negligent in the latter. When we consider him as a sovereign, his character, though not altogether destitute of virtue, was in the main dangerous to his people, and dishonorable to himself. Negligent of the interests of the nation, careless of its glory, averse to its religion, jealous of its liberty, lavish of its treasure, sparing only of its blood; he exposed it by his measures, though he ever appeared but in sport, to the danger of a furious civil war, and even to the ruin and ignominy of a foreign conquest. Yet may all these enormities, if fairly and candidly examined, be imputed, in a great measure, to the indolence of his temper; a fault, which, however unfortunate in a monarch, it is impossible for us to regard with great severity.

It has been remarked of Charles, that he never said a foolish thing nor ever did a wise one: A censure; which, though too far carried, seems to have some foundation in his character and deportment. When the king was informed of this saying, he observed, that the matter was easily accounted for: For that his discourse was his own, his actions were the ministry's.

IF we reflect on the appetite for power inherent in human nature, and add to it the king's education in foreign countries, and among the cavaliers, a party which would naturally exaggerate the late usurpations of popular assemblies upon the rights of monarchy; it is not surprising, that civil liberty should not find in him a very zealous patron. Harassed with domestic faction, weary of calumnies and complaints, oppressed with debts, straitened in his revenue, he sought, though with feeble efforts, for a form of government, more simple in its structure and more easy in its management. But his attachment to France, after all the pains, which we have taken, by inquiry and conjecture, to fathom it, contains still something, it must be confessed, mysterious and inexplicable. The hopes of rendering himself absolute by Lewis's assistance seem so chimerical, that they could scarcely be retained with such obstinacy by a prince of Charles's penetration: And as to pecuniary subsidies, he surely spent much greater sums in one season, during the second Dutch war, than were remitted him from France during the whole course of his reign. I am apt therefore to imagine, that Charles was in this particular guided chiefly by inclination, and by a prepossession in favor of the French nation. He considered that people as gay, sprightly, polite, elegant, courteous, devoted to their prince, and attached to the catholic faith; and for these reasons he cordially loved them. The opposite character of the Dutch had rendered them the

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C H A P. LXIX. 1685. objects of his aversion; and even the uncourtly humors of the English made him very indifferent towards them. Our notions of interest are much warped by our affections; and it is not altogether without example, that a man may be guided by national prejudices, who has ever been little biassed by private and personal friendship.

THE character of this prince has been elaborately drawn by two great masters, perfectly well acquainted with him, the duke of Buckingham and the marquis of Halifax; not to mention several elegant strokes given by Sir William Temple. Dr. Welwood likewise and bishop Burnet have employed their pencil on the same subject: But the former is somewhat partial in his favor; as the latter is by far too harsh and malignant. Instead of finding an exact parallel between Charles II. and the emperor Tiberius, as asserted by that prelate, it would be more just to remark a full contrast and opposition. The emperor seems as much to have surpassed the king in abilities, as he falls short of him in virtue. Provident, wise, active, jealous, malignant, dark, fullen, unfociable, reserved, cruel, unrelenting, unforgiving; these are the lights, under which the Roman tyrant has been transmitted to us. And the only circumstance, in which, it can justly be pretended, he was similar to Charles, is his love of women, a passion which is too general to form any striking resemblance, and which that detestable and detested monster shared also with unnatural appetites.

J A M E S II.

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King's first transactions — A parliament — Arguments for and against a revenue for life — Oates convicted of perjury — Monmouth's invasion — His defeat — and execution — Cruelties of Kirke — and of Jefferies — State of affairs in Scotland — Argyle's invasion — defeat — and execution — A parliament — French persecutions — The dispensing power — State of Ireland — Breach betwixt the king and the church — Court of ecclesiastical commission — Sentence against the bishop of London — Suspension of the penal laws — State of Ireland — Embassy to Rome — Attempt on Magdalen College — Imprisonment — trial, and acquittal of the bishops — Birth of the prince of Wales.

THE first act of James's reign was to assemble the privy council ; where , after some praises bestowed on the memory of his predecessor, he made professions of his resolution to maintain the established government, both in church and state. Though he had been reported, he said, to have imbibed arbitrary principles, he knew that the laws of England were sufficient to make him as great a monarch as he could wish; and he was determined never to depart from them. And as he had heretofore ventured his life in defence of the nation, he would still go as far as any man in maintaining all its just rights and liberties.

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King's first transactions.

C H A P. THIS discourse was received with great applause,
 LXX. not only by the council, but by the nation.
 1685. The king universally passed for a man of great
 sincerity and great honor; and as the current of
 favor ran at that time for the court, men believed,
 that his intentions were conformable to his ex-
 pressions. "We have now," it was said, "the
 " word of a king; and a word never yet broken."
 Addresses came from all quarters, full of duty,
 nay, of the most servile adulation. Every one
 hastened to pay court to the new monarch¹:
 And James had reason to think, that, notwith-
 standing the violent efforts made by so potent a
 party for his exclusion, no throne in Europe was
 better established than that of England.

THE king, however, in the first exercise of his
 authority, showed, that either he was not sincere
 in his professions of attachment to the laws, or
 that he had entertained so lofty an idea of his
 own legal power, that even his utmost sincerity
 would tend very little to secure the liberties of the
 people. All the customs and the greater part of
 the excise had been settled by parliament on the

¹ The quakers' address was esteemed somewhat singular for
 its plainness and simplicity. It was conceived in these
 terms: "We are come to testify our sorrow for the death
 " of our good friend Charles, and our joy for thy being
 " made our governor. We are told thou art not of the
 " persuasion of the church of England, no more than we:
 " Wherefore we hope thou wilt grant us the same liberty,
 " which thou allowest thyself. Which doing, we wish
 " thee all manner of happiness.

late king during life, and consequently the grant was now expired; nor had the successor any right to levy these branches of revenue. But James issued a proclamation, ordering the customs and excise to be paid as before; and this exertion of power he would not deign to qualify by the least act or even appearance of condescension. It was proposed to him, that, in order to prevent the ill effects of any intermission in levying these duties, entries should be made, and bonds for the sums be taken from the merchants and brewers: But the payment be suspended till the parliament should give authority to receive it. This precaution was recommended as an expression of deference to that assembly, or rather to the laws: But for that very reason, probably, it was rejected by the king, who thought, that the commons would thence be invited to assume more authority, and would regard the whole revenue, and consequently the whole power, of the crown, as dependent on their good will and pleasure.

THE king likewise went openly, and with all the ensigns of his dignity, to mass, an illegal meeting: And by this imprudence he displayed at once his arbitrary disposition, and the bigotry of his principles: These two great characteristics of his reign, and bane of his administration. He even sent Caryl, as his agent, to Rome, in order to make submissions to the pope, and to pave the way for a solemn re-admission of England into the bosom of the catholic church. The pope, Innocent the XIth, prudently advised the king

CHAP. not to be too precipitate in his measures, nor
 LXX. rashly attempt what repeated experience might
 1685. convince him was impracticable. The Spanish
 ambassador, Ronquillo, deeming the tranquillity
 of England necessary for the support of Spain,
 used the freedom to make like remonstrances.
 He observed to the king, how busy the priests
 appeared at court, and advised him not to assent
 with too great facility to their dangerous counsels.
 "Is it not the custom in Spain," said James,
 "for the king to consult with his confessor?"
 "Yes," replied the ambassador, "and it is for
 "that very reason our affairs succeed so ill."

JAMES gave hopes on his accession, that he
 would hold the balance of power more steadily
 than his predecessor; and that France, instead of
 rendering England subservient to her ambitious
 projects, would now meet with strong opposition
 from that kingdom. Besides applying himself to
 business with industry, he seemed jealous of
 national honor, and expressed great care, that
 no more respect should be paid to the French
 ambassador at London than his own received at
 Paris. But these appearances were not sufficiently
 supported, and he found himself immediately
 under the necessity of falling into a union with
 that great monarch, who, by his power as well
 as his zeal, seemed alone able to assist him, in
 the projects formed for promoting the catholic
 religion in England.

NOTWITHSTANDING the king's prejudices, all
 the chief offices of the crown continued still in

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the hands of protestants. Rochester was treasurer, his brother Clarendon chamberlain; Godolphin chamberlain to the queen; Sunderland secretary of state; Halifax president of the council. This nobleman had stood in opposition to James during the last years of his brother's reign; and when he attempted, on the accession, to make some apology for his late measures, the king told him, that he would forget every thing past, except his behaviour during the bill of exclusion. On other occasions, however, James appeared not of so forgiving a temper. When the principal exclusionists came to pay their respects to the new sovereign, they either were not admitted, or were received very coldly, sometimes even with frowns. This conduct might suit the character, which the king so much affected, of sincerity: But by showing, that a king of England could resent the quarrels of a duke of York, he gave his people no high idea either of his lenity or magnanimity.

ON all occasions, the king was open in declaring, that men must now look for a more active and more vigilant government, and that he would retain no ministers, who did not practise an unreserved obedience to his commands. We are not indeed to look for the springs of his administration so much in his council and chief officers of state, as in his own temper, and in the character of those persons, with whom he secretly consulted. The queen had great influence over him; a woman of spirit, whose conduct had been popular

C H A P. till she arrived at that high dignity. She was
 LXX. much governed by the priests, especially the
 1685. jesuits; and as these were also the king's favorites,
 all public measures were taken originally from the
 suggestions of these men, and bore evident marks
 of their ignorance in government, and of the
 violence of their religious zeal.

THE king however had another attachment,
 seemingly not very consistent with this devoted
 regard to his queen and to his priests: It was to
 Mrs. Sedley, whom he soon after created coun-
 tesses of Dorchester, and who expected to govern
 him with the same authority, which the duchess
 of Portsmouth had possessed during the former
 reign. But James, who had entertained the
 ambition of converting his people, was told,
 that the regularity of his life ought to correspond
 to the sanctity of his intentions; and he was pre-
 vailed with to remove Mrs. Sedley from court:
 A resolution in which he had not the courage
 to persevere. Good agreement between the mistress
 and the confessor of princes is not commonly a
 difficult matter to compass: But in the present
 case these two potent engines of command were
 found very incompatible. Mrs. Sedley, who pos-
 sessed all the wit and ingenuity of her father,
 Sir Charles, made the priests and their counsels
 the perpetual object of her raillery; and it is not
 to be doubted, but they, on their part, redou-
 bled their exhortations with their penitent to
 break off so criminal an attachment.

How little inclination soever the king, as well

as his queen and priests, might bear to an English parliament, it was absolutely necessary, at the beginning of the reign, to summon that assembly. The low condition, to which the whigs or country-party had fallen during the last years of Charles's reign, the odium under which they labored on account of the Rye-house conspiracy; these causes made that party meet with little success in the elections. The general resignation too of the charters had made the corporations extremely dependent; and the recommendations of the court, though little assisted, at that time, by pecuniary influence, were become very prevalent. The new house of commons, therefore, consisted almost entirely of zealous tories and churchmen; and were of consequence strongly biassed, by their affections, in favor of the measures of the crown.

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ment.

THE discourse, which the king made to the parliament, was more fitted to work on their fears than their affections. He repeated indeed, and with great solemnity, the promise which he had made before the privy-council, of governing according to the laws, and of preserving the established religion: But at the same time he told them, that he positively expected they would settle his revenue, and during life too, as in the time of his brother. "I might use many arguments," said he, "to enforce this demand; the benefit of trade, the support of the navy, the necessities of the crown, and the well-being of the government itself, which I must not suffer to be precarious: But I am confident,

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May.

C H A P. " that your own consideration and your sense of
 LXX. " what is just and reasonable, will suggest to you
 1685. " whatever on this occasion might be enlarged
 " upon. There is indeed one popular argument,"
 added he, " which may be urged against com-
 " pliance with my demand: Men may think,
 " that by feeding me from time to time with such
 " supplies as they think convenient, they will
 " better secure frequent meetings of parliament:
 " But as this is the first time I speak to you
 " from the throne, I must plainly tell you, that
 " such an expedient would be very improper to
 " employ with me, and that the best way to en-
 " gage me to meet you often is always to use me
 " well."

It was easy to interpret this language of the king's. He plainly intimated, that he had resources in his prerogative for supporting the government, independent of their supplies; and that so long as they complied with his demands, he would have recourse to them; but that any ill usage on their part would set him free from those measures of government, which he seemed to regard more as voluntary than as necessary. It must be confessed, that no parliament in England was ever placed in a more critical situation, nor where more forcible arguments could be urged, either for their opposition to the court, or their compliance with it.

Reasons for
 and against
 a revenue
 during life.

It was said on the one hand, that jealousy of royal power was the very basis of the English constitution, and the principle, to which the

nation was beholden for all that liberty, which
 they enjoy above the subjects of other monarchies.
 That this jealousy, though, at different periods,
 it may be more or less intense, can never safely
 be laid asleep, even under the best and wisest
 princes. That the character of the present sovereign
 afforded cause for the highest vigilance, by reason
 of the arbitrary principles, which he had imbibed;
 and still more, by reason of his religious zeal,
 which it is impossible for him ever to gratify,
 without assuming more authority than the con-
 stitution allows him. That power is to be watched
 in its very first encroachments; nor is any thing
 ever gained by timidity and submission. That
 every concession adds new force to usurpation;
 and at the same time, by discovering the dastardly
 dispositions of the people, inspires it with new
 courage and enterprise. That as arms were in-
 trusted altogether in the hands of the prince, no
 check remained upon him but the dependent
 condition of his revenue; a security therefore
 which it would be the most egregious folly to
 abandon. That all the other barriers, which, of
 late years, had been erected against arbitrary
 power, would be found, without this capital
 article, to be rather pernicious and destructive.
 That new limitations in the constitution stimulated
 the monarch's inclination to surmount the laws,
 and required frequent meetings of parliament, in
 order to repair all the breaches, which either
 time or violence may have made upon that com-
 plicated fabric. That recent experience during

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the reign of the late king, a prince who wanted neither prudence nor moderation, had sufficiently proved the solidity of all these maxims. That his parliament, having rashly fixed his revenue for life, and at the same time repealed the triennial bill, found that they themselves were no longer of importance, and that liberty, not protected by national assemblies, was exposed to every outrage and violation. And that the more openly the king made an unreasonable demand, the more obstinately ought it to be refused; since it is evident, that his purpose in making it cannot possibly be justifiable.

ON the other hand it was urged, that the rule of watching the very first encroachments of power could only have place, where the opposition to it could be regular, peaceful, and legal. That though the refusal of the king's present demand might seem of this nature, yet in reality it involved consequences, which led much farther than at first sight might be apprehended. That the king in his speech had intimated, that he had resources in his prerogative, which, in case of opposition from parliament, he thought himself fully entitled to employ. That if the parliament openly discovered an intention of reducing him to dependence, matters must presently be brought to a crisis, at a time the most favorable to his cause, which his most sanguine wishes could ever have promised him. That if we cast our eyes abroad, to the state of affairs on the continent, and to the situation of Scotland and Ireland; or,

what is of more importance, if we consider the disposition of men's minds at home, every circumstance would be found adverse to the cause of liberty. That the country-party, during the late reign, by their violent, and in many respects unjustifiable measures in parliament, by their desperate attempts out of parliament, had exposed their principles to general hatred, and had excited extreme jealousy in all the royalists and zealous churchmen, who now formed the bulk of the nation. That it would not be acceptable to that party to see this king worse treated than his brother in point of revenue, or any attempts made to keep the crown in dependence. That they thought parliaments as liable to abuse as courts, and desired not to see things in a situation, where the king could not, if he found it necessary, either prorogue or dissolve those assemblies. That if the present parliament, by making great concessions, could gain the king's confidence, and engage him to observe the promises now given them, every thing would by gentle methods succeed to their wishes. That if, on the contrary, after such instances of compliance, he formed any designs on the liberty and religion of the nation, he would, in the eyes of all mankind, render himself altogether inexcusable, and the whole people would join in opposition to him. That resistance could scarcely be attempted twice; and there was therefore the greater necessity for waiting till time and incidents had fully prepared the nation for it. That the king's prejudices in favor

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C H A P. of popery, though in the main pernicious, were
 LXX. yet so far fortunate, that they rendered the con-
 1685. nexion inseparable between the national religion
 and national liberty. And that if any illegal
 attempts were afterwards made, the church, which
 was at present the chief support of the crown,
 would surely catch the alarm, and would soon
 dispose the people to an effectual resistance.

THESE last reasons, enforced by the prejudices
 of party, prevailed in parliament; and the com-
 mons, besides giving thanks for the king's speech,
 voted unanimously, that they would settle on
 his present majesty during life all the revenue
 enjoyed by the late king at the time of his demise.
 That they might not detract from this generosity:
 by any symptoms of distrust, they also voted
 unanimously, that the house entirely relied on
 his majesty's royal word and repeated declarations
 to support the religion of the church of England;
 but they added, that that religion was dearer to
 them than their lives. The speaker, in presenting
 the revenue-bill, took care to inform the king
 of their vote with regard to religion; but could
 not, by so signal a proof of confidence, extort
 from him one word, in favor of that religion,
 on which, he told his majesty, they set so high
 a value. Notwithstanding the grounds of suspi-
 cion, which this silence afforded, the house con-
 tinued in the same liberal disposition. The king
 having demanded a farther supply for the navy
 and other purposes, they revived those duties on
 wines and vinegar, which had once been enjoyed
 by

by the late king; and they added some impositions on tobacco and sugar. This grant amounted on the whole to about six hundred thousand pounds a year.

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THE house of lords were in a humor no less compliant. They even went some lengths towards breaking in pieces all the remains of the popish plot; that once formidable engine of bigotry and faction.

A LITTLE before the meeting of parliament, Oates had been tried for perjury on two indictments. One for deposing, that he was present at a consult of jesuits in London the twenty-fourth of April, 1679: Another for deposing, that father Ireland was in London between the eighth and twelfth of August, and in the beginning of September in the same year. Never criminal was convicted on fuller and more undoubted evidence. Two-and-twenty persons, who had been students at St. Omers, most of them men of credit and family, gave evidence, that Oates had entered into that seminary about Christmas in the year 1678, and had never been absent but one night, till the month of July following. Forty-seven witnesses, persons also of untainted character, deposed that father Ireland, on the third of August, 1679, had gone to Staffordshire, where he resided till the middle of September; and, what some years before would have been regarded as a very material circumstance, nine of these witnesses were protestants, of the church of England. Oates's sentence was, to be fined a thousand marks.

Oates con-
victed of
perjury.

CHAP. on each indictment, to be whipped on two
 LXX. different days from Aldgate to Newgate, and
 1685. from Newgate to Tyburn, to be imprisoned
 during life, and to be pillored five times every
 year. The impudence of the man supported itself
 under the conviction, and his courage under the
 punishment. He made solemn appeals to Heaven,
 and protestations of the veracity of his testimony:
 Though the whipping was so cruel, that it was
 evidently the intention of the court to put him
 to death by that punishment, he was enabled,
 by the care of his friends, to recover: And he
 lived to king William's reign; when a pension
 of four hundred pounds a year was settled on
 him. A considerable number still adhered to him
 in his distresses, and regarded him as the martyr
 of the protestant cause. The populace were
 affected with the sight of a punishment, more
 severe than is commonly inflicted in England.
 And the sentence of perpetual imprisonment was
 deemed illegal.

THE conviction of Oates's perjury was taken
 notice of by the house of peers. Besides freeing
 the popish lords, Powis, Arundel, Bellasis, and
 Tyrone, together with Danby, from the former
 impeachment by the commons, they went so far
 as to vote a reversal of Stafford's attainder, on
 account of the falshood of that evidence, on which
 he had been condemned. This bill fixed so deep
 a reproach on the former proceedings of the
 exclusionists, that it met with great opposition
 among the lords; and it was at last, after one

reading, dropped by the commons. Though the reparation of injustice be the second honor, which a nation can attain; the present emergency seemed very improper for granting so full a justification to the catholics, and throwing so foul a stain on the protestants.

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THE course of parliamentary proceedings was interrupted by the news of Monmouth's arrival in the west with three ships from Holland. No sooner was this intelligence conveyed to the parliament, than they voted, that they would adhere to his majesty with their lives and fortunes. They passed a bill of attainder against Monmouth; and they granted a supply of four hundred thousand pounds for suppressing his rebellion. Having thus strengthened the hands of the king, they adjourned themselves.

Monmouth's invasion.

MONMOUTH, when ordered to depart the kingdom, during the late reign, had retired to Holland; and as it was well known, that he still enjoyed the favor of his indulgent father, all marks of honor and distinction were bestowed upon him by the prince of Orange. After the accession of James, the prince thought it necessary to dismiss Monmouth and all his followers; and that illustrious fugitive retired to Brussels. Finding himself still pursued by the king's severity, he was pushed, contrary to his judgment as well as inclination, to make a rash and premature attempt upon England. He saw that James had lately mounted the throne, not only without opposition, but seemingly with the good will

C H A P. and affections of his subjects. A parliament was
 LXX. fitting, which discovered the greatest disposition
 1685. to comply with the king, and whose adherence,
 he knew, would give a sanction and authority
 to all public measures. The grievances of this
 reign were hitherto of small importance; and the
 people were not as yet in a disposition to remark
 them with great severity. All these considerations
 occurred to Monmouth; but such was the impa-
 tience of his followers, and such the precipitate
 humor of Argyle, who set out for Scotland a
 little before him, that no reasons could be
 attended to; and this unhappy man was driven
 upon his fate.

11th June. THE imprudence, however, of this enterprise
 did not at first appear. Though on his landing
 at Lime in Dorsetshire, he had scarcely a hundred
 followers; so popular was his name, that in four
 days he had assembled above two thousand horse
 and foot. They were indeed, almost all of them,
 the lowest of the people; and the declaration,
 which he published, was chiefly calculated to
 suit the prejudices of the vulgar, or the most
 bigoted of the whig-party. He called the king,
 duke of York; and denominated him a traitor, a
 tyrant, an assassin, and a popish usurper. He imputed
 to him the fire of London, the murder of Godfrey
 and of Essex, nay the poisoning of the late king.
 And he invited all the people to join in opposi-
 tion to his tyranny.

THE duke of Albemarle, son to him who had
 restored the royal family, assembled the militia

of Devonshire to the number of 4000 men, and took post at Axminster, in order to oppose the rebels; but observing, that his troops bore a great affection to Monmouth, he thought proper to retire. Monmouth, though he had formerly given many proofs of personal courage, had not the vigor of mind requisite for an undertaking of this nature. From an ill grounded diffidence of his men, he neglected to attack Albemarle; an easy enterprize, by which he might both have acquired credit and have supplied himself with arms. Lord Gray, who commanded his horse, discovered himself to be a notorious coward; yet such was the softness of Monmouth's nature, that Gray was still continued in his command. Fletcher of Salton, a Scotchman, a man of signal probity and fine genius, had been engaged by his republican principles in this enterprize, and commanded the cavalry together with Gray: But being insulted by one, who had newly joined the army, and whose horse he had in a hurry made use of, he was prompted by passion, to which he was much subject, to discharge a pistol at the man; and he killed him on the spot. This incident obliged him immediately to leave the camp; and the loss of so gallant an officer was a great prejudice to Monmouth's enterprize.

THE next station of the rebels was Taunton, a disaffected town, which gladly and even fondly received them, and re-inforced them with considerable numbers. Twenty young maids of some

C H A P. rank presented Monmouth with a pair of colors
 LXX. of their handiwork, together with a copy of
 1685. the bible. Monmouth was here persuaded to take
 upon him the title of king, and assert the legitimacy of his birth; a claim, which he advanced in his first declaration, but whose discussion he was determined, he then said, during some time to postpone. His numbers had now increased to six thousand; and he was obliged every day, for want of arms, to dismiss a great many, who crowded to his standard. He entered Bridgewater, Wells, Frome; and was proclaimed in all these places: But forgetting, that such desperate enterprises can only be rendered successful by the most adventurous courage, he allowed the expectations of the people to languish, without attempting any considerable undertaking.

WHILE Monmouth, by his imprudent and misplaced caution, was thus wasting time in the West, the king employed himself in making preparations to oppose him. Six regiments of British troops were called over from Holland: The army was considerably augmented: And regular forces, to the number of 3000 men, were dispatched under the command of Feversham and Churchill, in order to check the progress of the rebels.

MONMOUTH, observing that no considerable men joined him, finding that an insurrection, which was projected in the city, had not taken place, and hearing that Argyle, his confederate, was already defeated and taken; sunk into such

despondency, that he had once resolved to withdraw himself, and leave his unhappy followers to their fate. His followers expressed more courage than their leader, and seemed determined to adhere to him in every fortune. The negligent disposition, made by Feversham, invited Monmouth to attack the king's army at Sedgemoor near Bridgewater; and his men in this action showed what a native courage and a principle of duty, even when unassisted by discipline, is able to perform. They threw the veteran forces into disorder; drove them from their ground; continued the fight till their ammunition failed them; and would at last have obtained a victory, had not the misconduct of Monmouth and the cowardice of Gray prevented it. After a combat of three hours the rebels gave way; and were followed with great slaughter. About 1500 fell in the battle and pursuit. And thus was concluded in a few weeks this enterprize, rashly undertaken, and feebly conducted.

MONMOUTH fled from the field of battle above twenty miles, till his horse sunk under him. He then changed clothes with a peasant in order to conceal himself. The peasant was discovered by the pursuers, who now redoubled the diligence of their search. At last, the unhappy Monmouth was found, lying in the bottom of a ditch, and covered with fern: His body depressed with fatigue and hunger; his mind by the memory of past misfortunes, by the prospect of future disasters. Human nature is unequal to such calamitous

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Monmouth
defeated.

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and exe-
cuted.
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situations; much more, the temper of a man, softened by early prosperity, and accustomed to value himself solely on military bravery. He burst into tears when seized by his enemies; and he seemed still to indulge the fond hope and desire of life. Though he might have known, from the greatness of his own offences, and the severity of James's temper, that no mercy could be expected, he wrote him the most submissive letters, and conjured him to spare the issue of a brother, who had ever been so strongly attached to his interest. James, finding such symptoms of depression and despondency in the unhappy prisoner, admitted him to his presence, in hopes of extorting a discovery of his accomplices: But Monmouth would not purchase life, however loved, at the price of so much infamy. Finding all efforts vain, he assumed courage from despair, and prepared himself for death, with a spirit, better suited to his rank and character. This favorite of the people was attended to the scaffold with a plentiful effusion of tears. He warned the executioner not to fall into the error, which he had committed in beheading Ruffel, where it had been necessary to repeat the blow. This precaution served only to dismay the executioner. He struck a feeble blow on Monmouth, who raised his head from the block, and looked him in the face, as if reproaching him for his failure. He gently laid down his head a second time; and the executioner struck him again and again to no purpose. He then threw aside the ax, and

cried out that he was incapable of finishing the bloody office. The sheriff obliged him to renew the attempt; and at two blows more the head was severed from the body.

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THUS perished in the thirty-sixth year of his age a nobleman, who, in less turbulent times, was well qualified to be an ornament of the court, even to be serviceable to his country. The favor of his prince, the caresses of faction, and the allurements of popularity, seduced him into enterprises, which exceeded his capacity. The goodwill of the people still followed him in every fortune. Even after his execution, their fond credulity flattered them with hopes of seeing him once more at their head. They believed, that the person executed was not Monmouth, but one, who, having the fortune to resemble him nearly, was willing to give this proof of his extreme attachment, and to suffer death in his stead.

THIS victory, obtained by the king in the commencement of his reign, would naturally, had it been managed with prudence, have tended much to increase his power and authority. But by reason of the cruelty, with which it was prosecuted, and of the temerity, with which it afterwards inspired him, it was a principal cause of his sudden ruin and downfall.

SUCH arbitrary principles had the court instilled into all its servants, that Feverham, immediately after the victory, hanged above twenty prisoners; and was proceeding in his executions, when the

CHAP. LXX. 1685. Cruelty of colonel Kirke.

bishop of Bath and Wells warned him, that these unhappy men were now by law entitled to a trial, and that their execution would be deemed a real murder. This remonstrance however did not stop the savage nature of colonel Kirke, a soldier of fortune, who had long served at Tangiers, and had contracted, from his intercourse with the Moors, an inhumanity less known in European and in free countries. At his first entry into Bridgewater, he hanged nineteen prisoners without the least inquiry into the merits of their cause. As if to make sport with death, he ordered a certain number to be executed, while he and his company should drink the king's health, or the queen's, or that of chief-justice Jefferies. Observing their feet to quiver in the agonies of death, he cried that he would give them music to their dancing; and he immediately commanded the drums to beat and the trumpets to sound. By way of experiment, he ordered one man to be hung up three times, questioning him at each interval, whether he repented of his crime: But the man obstinately asserting, that, notwithstanding the past, he still would willingly engage in the same cause, Kirke ordered him to be hung in chains. One story, commonly told of him, is memorable for the treachery, as well as barbarity, which attended it. A young maid pleaded for the life of her brother, and flung herself at Kirke's feet, armed with all the charms, which beauty and innocence, bathed in tears, could bestow upon her. The tyrant was inflamed

with desire, not softened into love or clemency. He promised to grant her request, provided that she, in her turn, would be equally compliant to him. The maid yielded to the conditions: But after she had passed the night with him, the wanton savage, next morning, showed her from the window her brother, the darling object for whom she had sacrificed her virtue, hanging on a gibbet, which he had secretly ordered to be there erected for the execution. Rage and despair and indignation took possession of her mind, and deprived her for ever of her senses. All the inhabitants of that country, innocent as well as guilty, were exposed to the ravages of this barbarian. The soldiery were let loose to live at free quarters; and his own regiment, instructed by his example, and encouraged by his exhortations, distinguished themselves in a particular manner by their outrages. By way of pleasantry he used to call them *his lambs*; an appellation, which was long remembered with horror in the west of England.

THE violent Jefferies succeeded after some interval; and showed the people, that the rigors of law might equal, if not exceed, the ravages of military tyranny. This man, who wantoned in cruelty, had already given a specimen of his character in many trials, where he presided; and he now set out with a savage joy, as to a full harvest of death and destruction. He began at Dorchester; and thirty rebels being arraigned, he exhorted them, but in vain, to save him, by

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C H A P. their free confession, the trouble of trying them :
 LXX. And when twenty-nine were found guilty, he
 1685. ordered them, as an additional punishment of
 their disobedience, to be led to immediate execution. Most of the other prisoners, terrified with
 this example, pleaded guilty; and no less than
 two hundred and ninety-two received sentence at
 Dorchester. Of these, eighty were executed.
 Exeter was the next stage of his cruelty: Two
 hundred and forty-three were there tried, of
 whom a great number were condemned and executed. He also opened his commission at Taunton
 and Wells; and every where carried consternation
 along with him. The juries were so struck with
 his menaces, that they gave their verdict with
 precipitation; and many innocent persons, it is
 said, were involved with the guilty. And on
 the whole, besides those who were butchered by
 the military commanders, two hundred and fifty-
 one are computed to have fallen by the hand of
 justice. The whole country was strowed with
 the heads and limbs of traitors. Every village
 almost beheld the dead carcass of a wretched
 inhabitant. And all the rigors of justice, unabated by any appearance of clemency, were
 fully displayed to the people by the inhuman
 Jefferies.

OF all the executions, during this dismal
 period, the most remarkable were those of Mrs.
 Gaunt and lady Lisle, who had been accused of
 harbouring traitors. Mrs. Gaunt was an anabaptist,
 noted for her beneficence, which she extended

to persons of all professions and persuasions. One of the rebels, knowing her humane disposition, had recourse to her in his distress, and was concealed by her. Hearing of the proclamation, which offered an indemnity and rewards to such as discovered criminals, he betrayed his benefactors, and bore evidence against her. He received a pardon as a recompence for his treachery; she was burned alive for her charity.

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LADY LISLE was widow of one of the regicides, who had enjoyed great favor and authority under Cromwel, and who having fled, after the restoration, to Lausanne in Swisserland, was there assassinated by three Irish ruffians, who hoped to make their fortune by this piece of service. His widow was now prosecuted for harbouring two rebels the day after the battle of Sedgemoor; and Jefferies pushed on the trial with an unrelenting violence. In vain did the aged prisoner plead, that these criminals had been put into no proclamation; had been convicted by no verdict; nor could any man be denominated a traitor, till the sentence of some legal court was passed upon him: That it appeared not by any proof, that she was so much as acquainted with the guilt of the persons, or had heard of their joining the rebellion of Monmouth; that though she might be obnoxious on account of her family, it was well known, that her heart was ever loyal, and that no person in England had shed more tears for that tragical event, in which her husband had unfortunately borne too great a share: And that

C H A P. the same principles, which she herself had ever
 LXX. embraced, she had carefully instilled into her son,
 1685. and had, at that very time, sent him to fight
 against those rebels, whom she was now accused
 of harbouring. Though these arguments did not
 move Jefferies, they had influence on the jury.
 Twice they seemed inclined to bring in a favor-
 able verdict: They were as often sent back with
 menaces and reproaches; and at last were con-
 strained to give sentence against the prisoner.
 Notwithstanding all applications for pardon, the
 cruel sentence was executed. The king said,
 that he had given Jefferies a promise not to pardon
 her: An excuse, which could serve only to aggra-
 vate the blame against himself.

It might have been hoped, that, by all these
 bloody executions, a rebellion, so precipitate,
 so ill supported, and of such short duration,
 would have been sufficiently expiated: But
 nothing could satiate the spirit of rigor, which
 possessed the administration. Even those multi-
 tudes, who received pardon, were obliged to
 atone for their guilt by fines, which reduced them
 to beggary; or where their former poverty made
 them incapable of paying, they were condemned
 to cruel whippings or severe imprisonments. Nor
 could the innocent escape the hands, no less
 rapacious than cruel, of the chief justice. Pri-
 deaux, a gentleman of Devonshire, being thrown
 into prison, and dreading the severe and arbitrary
 spirit, which at that time met with no controul,
 was obliged to buy his liberty of Jefferies at the

price of fifteen thousand pounds; though he could never so much as learn the crime of which he was accused.

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GOODENOUGH, the seditious under-sheriff of London, who had been engaged in the most bloody and desperate part of the Rye-house conspiracy, was taken prisoner after the battle of Sedgemoor, and resolved to save his own life, by an accusation of Cornish, the sheriff, whom he knew to be extremely obnoxious to the court. Colonel Rumsey joined him in the accusation; and the prosecution was so hastened, that the prisoner was tried, condemned, and executed in the space of a week. The perjury of the witnesses appeared immediately after; and the king seemed to regret the execution of Cornish. He granted his estate to his family, and condemned the witnesses to perpetual imprisonment.

THE injustice of this sentence against Cornish, was not wanted to disgust the nation with the court: The continued rigor of the other executions had already impressed an universal hatred against the ministers of justice, attended with compassion for the unhappy sufferers, who, as they had been seduced into this crime by mistaken principles, bore their punishment with the spirit and zeal of martyrs. The people might have been willing on this occasion to distinguish between the king and his ministers: But care was taken to prove, that the latter had done nothing but what was agreeable to their master. Jefferies, on his return, was immediately, for those eminent

C H A P. LXX. 1685. services, created a peer; and was soon after vested with the dignity of chancellor. It is pretended, however, with some appearance of authority, that the king was displeased with these cruelties, and put a stop to them by orders, as soon as proper information of them was conveyed to him ².

State of
affairs in
Scotland.

WE must now take a view of the state of affairs in Scotland; where the fate of Argyle had been decided before that of Monmouth. Immediately after the king's accession, a parliament had been summoned at Edinburgh; and all affairs were there conducted by the duke of Queensberry, the commissioner, and the earl of Perth, chancellor. The former had resolved to make an entire surrender of the liberties of his country; but was determined still to adhere to its religion: The latter entertained no scruple of paying court even by the sacrifice of both. But no courtier, even the most prostitute, could go farther than the parliament itself towards a resignation of their liberties. In a vote, which they called an offer of duty, after adopting the fabulous history of a hundred and eleven Scottish monarchs, they acknowledged, that all these princes, by the primary and fundamental law of the state, had been vested with a *solid* and *absolute* authority. They declared their abhorrence of all principles and positions, derogatory to the king's sacred, supreme,

² Life of lord keeper North, p. 260. K. James's Memoirs, p. 144.

sovereign,

sovereign, absolute power, of which none, they said, whether single persons or collective bodies, can participate, but in dependence on him and by commission from him. They promised, that the whole nation, between sixteen and sixty, shall be in readiness for his majesty's service, where and as oft as it shall be his royal pleasure to require them. And they annexed the whole excise, both of inland and foreign commodities, for ever to the crown.

ALL the other acts of this assembly favoured of the same spirit. They declared it treason for any person to refuse the test, if tendered by the council. To defend the obligation of the covenant, subjected a person to the same penalty. To be present at any conventicle, was made punishable with death and confiscation of moveables. Even such as refused to give testimony, either in cases of treason or nonconformity, were declared equally punishable as if guilty of those very crimes: An excellent prelude to all the rigors of an inquisition. It must be confessed, that nothing could equal the abject servility of the Scottish nation during this period but the arbitrary severity of the administration.

IT was in vain, that Argyle summoned a people, so lost to all sense of liberty, so degraded by repeated indignities, to rise in vindication of their violated laws and privileges. Even those who declared for him, were, for the greater part, his own vassals; men, who, if possible, were still more sunk in slavery than the rest of the

Argyle's in-
vasion,

C H A P. nation. He arrived, after a prosperous voyage,
 LXX. in Argyleshire, attended by some fugitives from
 1685. Holland; among the rest, by Sir Patric Hume, a
 man of mild dispositions, who had been driven
 to this extremity by a continued train of oppres-
 sion. The privy council was beforehand apprized
 of Argyle's intentions. The whole militia of the
 kingdom, to the number of twenty-two thousand
 men, were already in arms; and a third part of
 them, with the regular forces, were on their
 march to oppose him. All the considerable gentry
 of his clan were thrown into prison. And two
 ships of war were on the coast to watch his
 motions. Under all these discouragements he yet
 made a shift, partly from terror, partly from
 affection, to collect and arm a body of about two
 thousand five hundred men; but soon found
 himself surrounded on all sides with insuperable
 difficulties. His arms and ammunition were seized:
 His provisions cut off: The marquis of Athole
 pressed him on one side; lord Charles Murray on
 another; the duke of Gordon hung upon his rear;
 the earl of Dunbarton met him in front. His
 followers daily fell off from him; but Argyle,
 resolute to persevere, broke at last with the
 shattered remains of his troops into the disaffected
 part of the Low Countries, which he had endea-
 voured to allure to him by declarations for the
 covenant. No one showed either courage or
 inclination to join him; and his small and still
 decreasing army, after wandering about for a
 little time, was at last defeated and dissipated

defeat,

without an enemy. Argyle himself was seized and carried to Edinburgh; where, after enduring many indignities with a gallant spirit, he was publicly executed. He suffered on the former unjust sentence, which had been passed upon him. The rest of his followers either escaped or were punished by transportation: Rumbold and Ayloff, two Englishmen, who had attended Argyle on this expedition, were executed.

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and execu-
tion.

THE king was so elated with this continued tide of prosperity that he began to undervalue even an English parliament, at all times formidable to his family; and from his speech to that assembly, which he had assembled early in the winter, he seems to have thought himself exempted from all rules of prudence or necessity of dissimulation. He plainly told the two houses, that the militia, which had formerly been so much magnified, was now found, by experience in the last rebellion, to be altogether useless; and he required a new supply, in order to maintain those additional forces, which he had levied. He also took notice, that he had employed a great many catholic officers, and that he had, in their favor, dispensed with the law, requiring the test to be taken by every one that possessed any public office. And to cut short all opposition, he declared, that, having reaped the benefit of their service during such times of danger, he was determined, neither to expose them afterwards to disgrace, nor himself, in case of another rebellion, to the want of their assistance.

9th Nov.

A parlia-
ment

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SUCH violent aversion did this parliament bear to opposition; so great dread had been instilled of the consequences attending any breach with the king; that it is probable, had he used his dispensing power without declaring it, no inquiries would have been made, and time might have reconciled the nation to this dangerous exercise of prerogative. But to invade at once their constitution, to threaten their religion, to establish a standing army, and even to require them, by their concurrence, to contribute towards all these measures, exceeded the bounds of their patience; and they began, for the first time, to display some small remains of English spirit and generosity. When the king's speech was taken into consideration by the commons, many severe reflections were thrown out against the present measures; and the house was with seeming difficulty engaged to promise in a general vote, that they would grant some supply. But instead of finishing that business, which could alone render them acceptable to the king, they proceeded to examine the dispensing power; and they voted an address to the king against it. Before this address was presented, they resumed the consideration of the supply; and as one million two hundred thousand pounds were demanded by the court, and two hundred thousand proposed by the country-party, a middle course was chosen, and seven hundred thousand, after some dispute, were at last voted. The address against the dispensing power was expressed in the most respect-

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ful and submissive terms; yet was it very ill received by the king, and his answer contained a flat denial, uttered with great warmth and vehemence. The commons were so daunted with this reply, that they kept silence a long time; and when Coke, member for Derby, rose up and said, "I hope we are all Englishmen, and not to be frightened with a few hard words;" so little spirit appeared in that assembly, often so refractory and mutinous, that they sent him to the Tower for bluntly expressing a free and generous sentiment. They adjourned, without fixing a day for the consideration of his majesty's answer; and on their next meeting, they submissively proceeded to the consideration of the supply, and even went so far as to establish funds for paying the sum voted, in nine years and a half. The king, therefore, had in effect, almost without contest or violence, obtained a complete victory over the commons; and that assembly, instead of guarding their liberties, now exposed to manifest peril, conferred an additional revenue on the crown; and by rendering the king in some degree independent, contributed to increase those dangers, with which they had so much reason to be alarmed.

THE next opposition came from the house of peers, which has not commonly taken the lead on these occasions; and even from the bench of bishops, where the court usually expects the greatest complaisance and submission. The upper house had been brought, in the first days of the

C H A P. session, to give general thanks for the king's
 LXX. speech; by which compliment they were under-
 1685. stood, according to the practice of that time,
 to have acquiesced in every part of it: Yet notwithstanding that step, Compton, bishop of London, in his own name and that of his brethren, moved that a day should be appointed for taking the speech into consideration: He was seconded by Halifax, Nottingham, and Mordaunt. Jefferies, the chancellor, opposed the motion; and seemed inclined to use in that house the same arrogance, to which on the bench he had so long been accustomed: But he was soon taught to know his place; and he proved, by his behaviour, that insolence, when checked, naturally sinks into meanness and cowardice. The bishop of London's motion prevailed.

THE king might reasonably have presumed, that, even if the peers should so far resume courage as to make an application against his dispensing power, the same steady answer, which he had given to the commons, would make them relapse into the same timidity; and he might by that means have obtained a considerable supply, without making any concessions in return. But so imperious was his temper, so lofty the idea which he had entertained of his own authority, and so violent the schemes suggested by his own bigotry and that of his priests; that, without any delay, without waiting for any farther provocation, he immediately proceeded to a prorogation. He continued the parliament during

a year and a half by four more prorogations; but having in vain tried by separate applications, to break the obstinacy of the leading members, he at last dissolved that assembly. And as it was plainly impossible for him to find among his protestant subjects a set of men more devoted to royal authority, it was universally concluded, that he intended thenceforth to govern entirely without parliaments.

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NEVER king mounted the throne of England with greater advantages than James; nay, possessed greater facility, if that were any advantage, of rendering himself and his posterity absolute: But all these fortunate circumstances tended only, by his own misconduct, to bring more sudden ruin upon him. The nation seemed disposed of themselves to resign their liberties, had he not, at the same time, made an attempt upon their religion: And he might even have succeeded in surmounting at once their liberties and religion, had he conducted his schemes with common prudence and discretion. Openly to declare to the parliament, so early in his reign, his intention to dispense with the tests, struck an universal alarm throughout the nation; infused terror into the church, which had hitherto been the chief support of monarchy; and even disgusted the army, by whose means alone he could now purpose to govern. The former horror against popery was revived by polemical books and sermons; and in every dispute the victory seemed to be gained by the protestant divines, who were

C H A P. heard with more favorable ears, and who managed the controversy with more learning and eloquence. But another incident happened at this time, which tended mightily to excite the animosity of the nation against the catholic communion.

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LEWIS XIV. having long harassed and molested the protestants, at last revoked entirely the edict of Nantz; which had been enacted by Henry IV. for securing them the free exercise of their religion; which had been declared irrevocable; and which during the experience of near a century, had been attended with no sensible inconvenience. All the iniquities, inseparable from persecution, were exercised against those unhappy religionists; who became obstinate in proportion to the oppressions which they suffered, and either covered under a feigned conversion a more violent abhorrence of the catholic communion, or sought among foreign nations for that liberty, of which they were bereaved in their native country. Above half a million of the most useful and industrious subjects deserted France; and exported, together with immense sums of money, those arts and manufactures, which had chiefly tended to enrich that kingdom. They propagated every where the most tragical accounts of the tyranny, exercised against them, and revived among the protestants all that resentment against the bloody and persecuting spirit of popery, to which so many incidents in all ages had given too much foundation. Near fifty thousand

refugees passed over into England; and all men were disposed, from their representations, to entertain the utmost horror against the projects, which they apprehended to be formed by the king for the abolition of the protestant religion. When a prince of so much humanity and of such signal prudence as Lewis could be engaged, by the bigotry of his religion alone, without any provocation, to embrace such sanguinary and impolitic measures; what might be dreaded, they asked, from James, who was so much inferior in these virtues, and who had already been irritated by such obstinate and violent opposition? In vain did the king affect to throw the highest blame on the persecutions in France: In vain did he afford the most real protection and assistance to the distressed Hugonots. All these symptoms of toleration were regarded as insidious; opposite to the avowed principles of his sect, and belied by the severe administration, which he himself had exercised against the nonconformists in Scotland.

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THE smallest approach towards the introduction of popery, must, in the present disposition of the people, have afforded reason of jealousy; much more so wide a step as that of dispensing with the tests, the sole security, which the nation, being disappointed of the exclusion-bill, found provided against those dreaded innovations. Yet was the king resolute to persevere in his purpose; and having failed in bringing over the parliament, he made an attempt, with more success, for establishing his dispensing power, by a verdict of

1686.

C H A P. the judges. Sir Edward Hales, a new profelyte,
 LXX. had accepted a commission of colonel; and direc-
 1686. tions were given his coachman to prosecute him
 for the penalty of five hundred pounds, which
 the law, establishing the tests, had granted to
 informers. By this feigned action, the king
 hoped, both from the authority of the decision,
 and the reason of the thing, to put an end to
 all questions with regard to his dispensing power.

It could not be expected, that the lawyers, appointed to plead against Hales, would exert great force on that occasion: But the cause was regarded with such anxiety by the public, that it has been thoroughly canvassed in several elaborate discourses³; and could men divest themselves of prejudice, there want not sufficient materials, on which to form a true judgment. The claim and exercise of the dispensing power is allowed to be very ancient in England; and though it seems at first to have been copied from papal usurpations, it may plainly be traced up as high as the reign of Henry III. In the feudal governments, men were more anxious to secure their private property than to share in the public administration; and provided no innovations were attempted on their rights and possessions, the care of executing the laws, and ensuring general safety was without jealousy intrusted to the sovereign.

³ Particularly Sir Edward Herbert's defence in the state trials, and Sir Robert Atkins's inquiry concerning the dispensing power.

Penal statutes were commonly intended to arm the prince with more authority for that purpose; and being in the main calculated for promoting his influence as first magistrate, there seemed no danger in allowing him to dispense with their execution, in such particular cases as might require an exception or indulgence. That practice had so much prevailed, that the parliament itself had more than once acknowledged this prerogative of the crown; particularly during the reign of Henry V. when they enacted the law against aliens⁴, and also when they passed the statute of provisors⁵. But though the general tenor of the penal statutes was such as gave the king a superior interest in their execution beyond any of his subjects; it could not but sometimes happen in a mixed government, that the parliament would desire to enact laws, by which the regal power, in some particulars, even where private property was not immediately concerned, might be regulated and restrained. In the twenty-third of Henry VI. a law of this kind was enacted, prohibiting any man from serving in a county as sheriff above a year; and a clause was inserted, by which the king was disabled from granting a

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⁴ Rot. parl. 1 Hen. V. n. xv.

⁵ Ibid. 1 Hen. V. n. xxii. It is remarkable, however, that in the reign of Richard the Second, the parliament granted the king only a temporary power of dispensing with the statute of provisors. Rot. parl. 15 Rich. II. n. i. A plain implication that he had not, of himself, such prerogative. So uncertain were many of these points at that time.

C H A P. LXX. 1686. dispensation. Plain reason might have taught, that this law, at least, should be exempted from the king's prerogative; But as the dispensing power still prevailed in other cases, it was soon able, aided by the servility of the courts of judicature, even to overpower this statute, which the legislature had evidently intended to secure against violation. In the reign of Henry VII. the case was brought to a trial before all the judges in the exchequer-chamber; and it was decreed, that, notwithstanding the strict clause above-mentioned, the king might dispense with the statute: He could first, it was alledged, dispense with the prohibitory clause, and then with the statute itself. This opinion of the judges, though seemingly absurd, had ever since passed for undoubted law: The practice of continuing the sheriffs had prevailed: And most of the property in England had been fixed by decisions, which juries, returned by such sheriffs, had given in the courts of judicature. Many other dispensations of a like nature may be produced; not only such as took place by intervals, but such as were uniformly continued. Thus the law was dispensed with, which prohibited any man from going a judge of assize into his own county; that which rendered all Welchmen incapable of bearing offices in Wales; and that which required every one, who received a pardon for felony, to find sureties for his good behaviour. In the second of James I. a new consultation of all the judges had been held upon a like question: This pre-

rogative of the crown was again unanimously affirmed⁶: And it became an established principle in English jurisprudence, that, though the king could not allow of what was morally unlawful, he could permit what was only prohibited by positive statute. Even the jealous house of commons, who extorted the petition of right from Charles I. made no scruple, by the mouth of Glanville, their manager, to allow of the dispensing power in its full extent⁷; and in the famous trial of ship-money, Holborne, the popular lawyer, had, freely, and in the most explicit terms, made the same concession⁸. Sir Edward Coke, the great oracle of English law, had not only concurred with all other lawyers in favor of this prerogative; but seems even to believe it so inherent in the crown, that an act of parliament itself could not abolish it⁹. And he particularly observes, that no law can impose such a disability of enjoying offices as the king may not dispense with; because the king, from the law of nature, has a right to the service of all his subjects. This particular reason, as well as all the general principles, is applicable to the question of the tests; nor can the dangerous consequence of granting dispensations in that case be ever allowed to be pleaded before a court of judicature. Every

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⁶ Sir Edward Coke's reports, seventh report.

⁷ State Trials, vol. vii. first edit. p. 205. Parl. hist. vol. viii. p. 132.

⁸ State Trials, vol. v. first edit. p. 171.

⁹ Sir Edward Coke's reports, twelfth report, p. 18.

C H A P. prerogative of the crown, it may be said, ad-
 LXX. mits of abuse: Should the king pardon all cri-
 1686. minals, law must be totally dissolved: Should he
 declare and continue perpetual war against all
 nations, inevitable ruin must ensue: Yet these
 powers are intrusted to the sovereign; and we
 must be content, as our ancestors were, to de-
 pend upon his prudence and discretion in the ex-
 ercise of them.

THOUGH this reasoning seems founded on such
 principles as are usually admitted by lawyers, the
 people had entertained such violent prepossessions
 against the use, which James here made of his
 prerogative, that he was obliged, before he
 brought on Hales's cause, to displace four of the
 judges, Jones, Montague, Charleton and Nevil;
 and even Sir Edward Herbert, the chief justice,
 though a man of acknowledged virtue, yet,
 because he here supported the pretensions of the
 crown, was exposed to great and general reproach.
 Men deemed a dispensing power, to be in effect
 the same with a repealing power; and they could
 not conceive, that less authority was necessary to
 repeal than to enact any statute. If one penal law
 was dispensed with, any other might undergo
 the same fate: And by what principle could even
 the laws, which define property, be afterwards
 secured from violation? The test act had ever
 been conceived the great barrier of the established
 religion under a popish successor: As such it had
 been insisted on by the parliament; as such
 granted by the king; as such, during the debates

with regard to the exclusion, recommended by the chancellor. By what magic, what chicane of law, is it now annihilated, and rendered of no validity? These questions were every where asked; and men, straitened by precedents and decisions of great authority, were reduced either to question the antiquity of this prerogative itself, or to assert, that even the practice of near five centuries could not bestow on it sufficient authority¹⁰. It was not considered, that the present difficulty or seeming absurdity had proceeded from late innovations introduced into the government. Ever since the beginning of this century, the parliament had, with a laudable zeal, been acquiring powers and establishing principles, favorable to law and liberty: The authority of the crown had been limited in many important particulars: And penal statutes were often calculated to secure the constitution against the attempts of ministers, as well as to preserve general peace, and repress crimes and immoralities. A prerogative however, derived from very ancient, and almost uniform practice, the dispensing power, still remained, or was supposed to remain with the crown; sufficient in an instant to overturn this whole fabric, and to throw down all fences of the constitution. If this prerogative, which carries on the face of it, such strong symptoms of an absolute authority in the prince, had yet, in ancient times, subsisted with some degree of

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¹⁰ Sir Robert Atkins, p. 21.

C H A P. liberty in the subject; this fact only proves, that
 LXX. scarcely any human government, much less one
 1686. erected in rude and barbarous times, is entirely
 consistent and uniform in all its parts. But to
 expect, that the dispensing power could, in
 any degree, be rendered compatible with those
 accurate and regular limitations, which had of
 late been established, and which the people were
 determined to maintain, was a vain hope; and
 though men knew not upon what principles they
 could deny that prerogative, they saw, that, if
 they would preserve their laws and constitution,
 there was an absolute necessity for denying, at
 least for abolishing it. The revolution alone,
 which soon succeeded, happily put an end to
 all these disputes: By means of it, a more uniform
 edifice was at last erected: The monstrous incon-
 sistence, so visible between the ancient Gothic
 parts of the fabric and the recent plans of liberty
 was fully corrected: And to their mutual felicity,
 king and people were finally taught to know
 their proper boundaries¹¹.

¹¹ It is remarkable, that the convention, summoned
 by the prince of Orange, did not, even when they had
 the making of their own terms in *the declaration of rights*,
 venture to condemn the dispensing power in general, which
 had been uniformly exercised by the former kings of England.
 They only condemned it so far, *as it had been assumed and
 exercised of late*, without being able to tell wherein the
 difference lay. But in the *bill of rights*, which passed
 about a twelvemonth after, the parliament took care to
 secure themselves more effectually against a branch of pre-
 rogative, incompatible with all legal liberty and limitations;

WHATEVER

WHATEVER topics lawyers might find to defend James's dispensing power, the nation thought it dangerous, if not fatal, to liberty; and his resolution of exercising it may on that account be esteemed no less alarming, than if the power had been founded on the most recent and most flagrant usurpation. It was not likely, that an authority, which had been assumed, through so many obstacles, would in his hands lie long idle and unemployed. Four catholic lords were brought into the privy council, Powis, Arundel, Bellasis, and Dover. Halifax, finding, that, notwithstanding his past merits, he possessed no real credit or authority, became refractory in his opposition; and his office of privy seal was given to Arundel. The king was open, as well as zealous, in the desire of making converts; and men plainly saw, that the only way to acquire his affection and confidence was by a sacrifice of their religion. Sunderland, some time after, scrupled not to gain favor at this price. Rochester, the treasurer, though the king's brother-in-law, yet, because he refused to give this instance of complaisance,

and they excluded, in positive terms, all dispensing power in the crown. Yet even then the house of lords rejected that clause of the bill, which condemned the exercise of this power in former kings, and obliged the commons to rest content with abolishing it for the future. There needs no other proof of the irregular nature of the old English government, than the existence of such a prerogative, always exercised and never questioned, till the acquisition of real liberty discovered, at last, the danger of it. See the Journals.

C H A P. was turned out of his office : The treasury was
LXX. put in commission, and Bellasis was placed at the
1686. head of it. All the courtiers were disgusted, even
 such as had little regard to religion. The dishonor,
 as well as distrust , attending renegades , made
 most men resolve, at all hazards, to adhere to their
 ancient faith.

State of
 Scotland.

IN Scotland, James's zeal for profelytism was
 more successful. The earls of Murray, Perth,
 and Melfort were brought over to the court-
 religion; and the two latter noblemen made use
 of a very courtly reason for their conversion:
 They pretended, that the papers, found in the
 late king's cabinet, had opened their eyes, and
 had convinced them of the preference due to the
 catholic religion. Queensberry, who showed not
 the same complaisance, fell into total disgrace,
 notwithstanding his former services , and the
 important sacrifices, which he had made to the
 measures of the court. These merits could not
 even ensure him of safety against the vengeance,
 to which he stood exposed. His rival, Perth, who
 had been ready to sink under his superior interest,
 now acquired the ascendant; and all the com-
 plaints , exhibited against him , were totally
 obliterated. His faith, according to a saying of
 Halifax, had made him whole.

State of
 Ireland.

BUT it was in Ireland chiefly, that the mask
 was wholly taken off, and that the king thought
 himself at liberty to proceed, to the full extent
 of his zeal and his violence. The duke of Ormond
 was recalled; and though the primate and lord

Granard, two protestants, still possessed the authority of justices, the whole power was lodged in the hands of Talbot, the general, soon after created earl of Tyrconnel; a man, who, from the blindness of his prejudices and fury of his temper, was transported with the most immeasurable ardor for the catholic cause. After the suppression of Monmouth's rebellion, orders were given by Tyrconnel to disarm all the protestants, on pretence of securing the public peace, and keeping their arms in a few magazines for the use of the militia. Next, the army was new-modelled; and a great number of officers were dismissed, because it was pretended, that they or their fathers had served under Cromwel and the republic. The injustice was not confined to them. Near three hundred officers more were afterwards broken, though many of them had purchased their commissions: About four or five thousand private soldiers, because they were protestants, were dismissed; and being stripped even of their regimentals, were turned out to starve in the streets. While these violences were carrying on, Clarendon, who had been named lord lieutenant, came over; but he soon found, that, as he had refused to give the king the desired pledge of fidelity, by changing his religion, he possessed no credit or authority. He was even a kind of prisoner in the hands of Tyrconnel; and as he gave all opposition in his power to the precipitate measures of the catholics, he was soon after recalled, and Tyrconnel substituted in his place.

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§ H A P. The unhappy protestants now saw all the civil
 LXX.
 1686. authority, as well as the military force, transferred into the hands of their inveterate enemies; inflamed with hereditary hatred, and stimulated by every motive, which the passion either for power, property, or religion could inspire. Even the barbarous banditti were let loose to prey on them in their present defenceless condition. A renewal of the ancient massacres was apprehended; and great multitudes, struck with the best grounded terror, deserted the kingdom, and infused into the English nation a dread of those violences, to which, after some time, they might justly, from the prevalence of the catholics, think themselves exposed.

ALL judicious persons of the catholic communion were disgusted with these violent measures, and could easily foresee the consequences. But James was entirely governed by the rash counsels of the queen and of his confessor, father Peters, a jesuit, whom he soon after created a privy counsellor. He thought too, that, as he was now in the decline of life, it was necessary for him, by hasty steps, to carry his designs into execution; lest the succession of the princess of Orange should overturn all his projects. In vain did Arundel, Powis, and Bellasis remonstrate, and suggest more moderate and cautious measures. These men had seen and felt, during the prosecution of the popish plot, the extreme antipathy, which the nation bore to their religion; and though some subsequent incidents had seemingly

allayed that spirit, they knew, that the settled habits of the people were still the same, and that the smallest incident was sufficient to renew the former animosity. A very moderate indulgence, therefore, to the catholic religion would have satisfied them; and all attempts to acquire power, much more to produce a change of the national faith, they deemed dangerous and destructive¹².

Breach be-
twixt the
king and
the church.

ON the first broaching of the popish plot, the clergy of the church of England had concurred in the prosecution of it, with the same violence and credulity as the rest of the nation: But dreading afterwards the prevalence of republican and presbyterian principles, they had been engaged to support the measures of the court; and to their assistance chiefly, James had owed his succession to the crown. Finding that all these services were forgotten, and that the catholic religion was the king's sole favorite, the church had commenced an opposition to court measures; and popery was now acknowledged the more immediate danger. In order to prevent inflammatory sermons on this popular subject, James revived some directions to preachers, which had been promulgated by the late king, in the beginning of his reign, when no design against the national religion was yet formed, or at least apprehended. But in the present delicate and interesting situation of the church, there was

¹² D'Avaux, 10 January, 1687.

E H A P. little reason to expect that orders, founded on no
 LXX. legal authority, would be rigidly obeyed by
 1686. preachers, who saw no security to themselves
 but in preserving the confidence and regard of
 the people. Instead of avoiding controversy,
 according to the king's injunctions, the preachers
 every where declaimed against popery; and
 among the rest, Dr. Sharpe, a clergyman of
 London, particularly distinguished himself, and
 affected to throw great contempt on those who
 had been induced to change their religion by
 such pitiful arguments as the Romish missionaries
 could suggest. This topic, being supposed to
 reflect on the king, gave great offence at court;
 and positive orders were issued to the bishop of
 London, his diocesan, immediately to suspend
 Sharpe, till his majesty's pleasure should be farther
 known. The prelate replied; that he could not
 possibly obey these commands, and that he was
 not empowered, in such a summary manner, to
 inflict any punishment even upon the greatest
 delinquent. But neither this obvious reason, nor
 the most dutiful submissions, both of the prelate
 and of Sharpe himself, could appease the court.
 The king was determined to proceed with violence
 in the prosecution of this affair. The bishop him-
 self he resolved to punish for disobedience to his
 commands; and the expedient, which he em-
 ployed for that purpose, was of a nature at once
 the most illegal and most alarming.

AMONG all the engines of authority formerly
 employed by the crown, none had been more

dangerous or even destructive to liberty, than the court of high commission, which, together with the star-chamber, had been abolished in the reign of Charles I. by act of parliament; in which a clause was also inserted, prohibiting the erection, in all future times, of that court, or any of a like nature. But this law was deemed by James no obstacle; and an ecclesiastical commission was a-new issued, by which seven¹³ commissioners were vested with full and unlimited authority over the church of England. On them were bestowed the same inquisitorial powers, possessed by the former court of high commission: They might proceed upon bare suspicion; and the better to set the law at defiance, it was expressly inserted in their patent itself, that they were to exercise their jurisdiction, notwithstanding any law or statute to the contrary. The king's design to subdue the church was now sufficiently known; and had he been able to establish the authority of this new-erected court, his success was infallible. A more sensible blow could not be given both to national liberty and religion; and happily the contest could not be tried in a cause more iniquitous and unpopular than that against Sharpe and the bishop of London.

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Court of
ecclesiastical
commission.

¹³ The persons named were the archbishop of Canterbury, Sancroft; the bishop of Durham, Crew; of Rochester, Sprat; the earl of Rochester, Sunderland, chancellor Jefferies, and lord chief justice Herbert. The archbishop refused to act, and the bishop of Chester was substituted in his place.

C H A P. THE prelate was cited before the commissioners.
LXX. After denying the legality of the court, and
1686. claiming the privilege of all Christian bishops to be tried by the metropolitan and his suffragans; he pleaded in his own defence, that, as he was obliged, if he had suspended Sharpe, to act in the capacity of a judge, he could not, consistent either with law or equity, pronounce sentence without a previous citation and trial: That he had by petition represented this difficulty to his majesty; and not receiving any answer, he had reason to think, that his petition had given entire satisfaction: That in order to show farther his deference, he had advised Sharpe to abstain from preaching, till he had justified his conduct to the king; an advice, which, coming from a superior, was equivalent to a command, and had accordingly met with the proper obedience: That he had thus in his apprehension conformed himself to his majesty's pleasure, but if he should still be found wanting to his duty in any particular, he was now willing to crave pardon, and to make reparation. All this submission, both in Sharpe and the prelate, had no effect: It was determined to have an example: Orders were accordingly sent to the commissioners to proceed: And by a majority of votes the bishop, as well as the doctor, was suspended.

Sentence
 against the
 bishop of
 London.

ALMOST the whole of this short reign consists of attempts always imprudent, often illegal, sometimes both, against whatever was most loved and revered by the nation: Even such schemes

of the king's as might be laudable in themselves, were so disgraced by his intentions, that they serve only to aggravate the charge against him. James was become a great patron of toleration, and an enemy to all those persecuting laws, which, from the influence of the church, had been enacted both against the dissenters and catholics. Not content with granting dispensations to particular persons, he assumed a power of issuing a declaration of general indulgence, and of suspending at once all the penal statutes, by which a conformity was required to the established religion. This was a strain of authority, it must be confessed, quite inconsistent with law and a limited constitution; yet was it supported by many strong precedents in the history of England. Even after the principles of liberty were become more prevalent, and began to be well understood, the late king had, oftener than once, and without giving much umbrage, exerted this dangerous power: He had in 1662 suspended the execution of a law, which regulated carriages: During the two Dutch wars, he had twice suspended the act of navigation: And the commons in 1666, being resolved, contrary to the king's judgment, to enact that iniquitous law against the importation of Irish cattle, found it necessary, in order to obviate the exercise of this prerogative, which they desired not at that time entirely to deny or abrogate, to call that importation a nuisance.

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Penal laws
suspended.

THOUGH the former authority of the sovereign

C H A P. LXX. was great in civil affairs, it was still greater in ecclesiastical; and the whole despotic power of the popes was often believed, in virtue of the supremacy, to have devolved to the crown. The last parliament of Charles I. by abolishing the power of the king and convocation to frame canons without consent of parliament, had somewhat diminished the supposed extent of the supremacy; but still very considerable remains of it, at least very important claims, were preserved, and were occasionally made use of by the sovereign. In 1662, Charles, pleading both the rights of his supremacy and his suspending power, had granted a general indulgence or toleration; and in 1672 he renewed the same edict: Though the remonstrances of his parliament obliged him, on both occasions, to retract; and in the last instance, the triumph of law over prerogative was deemed very great and memorable. In general, we may remark, that, where the exercise of the suspending power was agreeable and useful, the power itself was little questioned: Where the exercise was thought liable to exceptions, men not only opposed it, but proceeded to deny altogether the legality of the prerogative, on which it was founded.

JAMES, more imprudent and arbitrary than his predecessor, issued his proclamation, suspending all the penal laws in ecclesiastical affairs, and granting a general liberty of conscience to all his subjects. He was not deterred by the reflection, both that this scheme of indulgence was already

blasted by two fruitless attempts; and that in such a government as that of England, it was not sufficient that a prerogative be approved of by some lawyers and antiquaries: If it was condemned by the general voice of the nation, and yet was still exerted, the victory over national liberty was no less signal than if obtained by the most flagrant injustice and usurpation. These two considerations indeed would rather serve to recommend this project to James; who deemed himself superior in vigor and activity to his brother, and who probably thought, that his people enjoyed no liberties, but by his royal concession and indulgence.

IN order to procure a better reception for his edict of toleration, the king, finding himself opposed by the church, began to pay court to the dissenters; and he imagined, that, by playing one party against another, he should easily obtain the victory over both; a refined policy which it much exceeded his capacity to conduct. His intentions were so obvious, that it was impossible for him ever to gain the sincere confidence and regard of the nonconformists. They knew, that the genius of their religion was diametrically opposite to that of the catholics, the sole object of the king's affection. They were sensible, that both the violence of his temper, and the maxims of his religion, were repugnant to the principles of toleration. They had seen, that, on his accession, as well as during his brother's reign, he had courted the church at their expense;

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C H A P. and it was not till his dangerous schemes were
 LXX. rejected by the prelates, that he had recourse to
 1687. the nonconformists. All his favors, therefore,
 must, to every man of judgment among the
 sectaries, have appeared insidious: Yet such was
 the pleasure reaped from present ease, such the
 animosity of the dissenters against the church,
 who had so long subjected them to the rigors of
 persecution, that they every where expressed the
 most entire duty to the king, and compliance
 with his measures; and could not forbear rejoicing
 extremely in the present depression of their ad-
 versaries.

BUT had the dissenters been ever so much
 inclined to shut their eyes with regard to the
 king's intentions, the manner of conducting his
 scheme in Scotland was sufficient to discover the
 secret. The king first applied to the Scottish
 parliament, and desired an indulgence for the
 catholics alone, without comprehending the pres-
 byterians: But that assembly, though more dis-
 posed than even the parliament of England, to
 sacrifice their civil liberties, resolved likewise to
 adhere pertinaciously to their religion; and they
 rejected for the first time the king's application.
 James therefore found himself obliged to exert his
 prerogative; and he now thought it prudent to
 interest a party among his subjects, besides the
 catholics, in supporting this act of authority.
 To the surprise of the harassed and persecuted
 presbyterians, they heard the principles of tolera-
 tion every where extolled, and found that full

permission was granted to attend conventicles ; C H A P.
 an offence, which, even during this reign, had LXX.
 been declared no less than a capital enormity. 1687.
 The king's declaration, however, of indulgence
 contained clauses, sufficient to depress their joy.
 As if popery were already predominant, he de-
 clared, " that he never would use force or
 " *invincible necessity* against any man on account
 " of his persuasion or the protestant religion : "
 A promise surely of toleration given to the pro-
 testants with great precaution, and admitting a
 considerable latitude for persecution and violence.
 It is likewise remarkable, that the king declared
 in express terms, " that he had thought fit, by
 " his sovereign authority, prerogative royal, and
 " *absolute* power, which all his subjects were to
 " obey *without reserve*, to grant this royal tolera-
 " tion." The dangerous designs of other princes
 are to be collected by a comparison of their
 several actions, or by a discovery of their more
 secret counsels : But so blinded was James with
 zeal, so transported by his imperious temper,
 that even his proclamations and public edicts
 contain expressions, which, without farther in-
 quiry, may suffice to his condemnation.

THE English well knew, that the king, by
 the constitution of their government, thought
 himself entitled, as indeed he was, to as ample
 authority in his southern, as in his northern
 kingdom; and therefore, though the declaration
 of indulgence published for England was more
 cautiously expressed, they could not but be

C H A P. alarmed by the arbitrary treatment, to which their
 LXX. neighbours were exposed. It is even remarkable,
 1687. that the English declaration contained clauses of
 a strange import. The king there promised, that
 he would maintain his loving subjects in all their
 properties and possessions, as well of church and
 abbey lands as of any other. Men thought,
 that, if the full establishment of popery were
 not at hand, this promise was quite superfluous;
 and they concluded, that the king was so replete
 with joy on the prospect of that glorious event,
 that he could not, even for a moment, refrain
 from expressing it.

State of
 Ireland.

BUT what afforded the most alarming prospect,
 was the continuance and even increase of the
 violent and precipitate conduct of affairs in Ire-
 land. Tyrconnel was now vested with full
 authority; and carried over with him as chan-
 cellor one Fitton, a man who was taken from a
 jail, and who had been convicted of forgery and
 other crimes, but who compensated for all his
 enormities by a headlong zeal for the catholic
 religion. He was even heard to say from the
 bench, that the protestants were all rogues, and
 that there was not one among forty thousand
 that was not a traitor, a rebel, and a villain.
 The whole strain of the administration was suit-
 able to such sentiments. The catholics were put
 in possession of the council table, of the courts
 of judicature, and of the bench of justices. In
 order to make them masters of the parliament,
 the same violence was exercised that had been

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practised in England. The charters of Dublin and of all the corporations were annulled; and new charters were granted, subjecting the corporations to the will of the sovereign. The protestant freemen were expelled, catholics introduced; and the latter sect, as they always were the majority in number, were now invested with the whole power of the kingdom. The act of settlement was the only obstacle to their enjoying the whole property; and Tyrconnel had formed a scheme for calling a parliament, in order to reverse that act, and empower the king to bestow all the lands of Ireland on his catholic subjects. But in this scheme he met with opposition from the moderate catholics in the king's council. Lord Bellasis went even so far as to affirm with an oath, "that that fellow in Ireland was fool and madman enough to ruin ten kingdoms." The decay of trade, from the desertion of the protestants, was represented; the sinking of the revenue; the alarm communicated to England: And by these considerations the king's resolutions were for some time suspended; though it was easy to foresee, from the usual tenor of his conduct, which side would at last preponderate.

BUT the king was not content with discovering in his own kingdoms the imprudence of his conduct: He was resolved, that all Europe should be witnesses of it. He publicly sent the earl of Castelmaine ambassador extraordinary to Rome, in order to express his obeisance to the Pope, and to make advances for reconciling his king.

Embassy to
Rome.

CHAP. LXX. 1687. doms, in form, to the catholic communion. Never man, who came on so important an errand, met with so many neglects and even affronts, as Castelmaine. The pontiff, instead of being pleased with this forward step, concluded, that a scheme, conducted with so much indiscretion, could never possibly be successful. And as he was engaged in a violent quarrel with the French monarch, a quarrel which interested him more nearly than the conversion of England, he bore little regard to James, whom he believed too closely connected with his capital enemy.

THE only proof of complaisance, which James received from the Pontiff was his sending a nuncio to England, in return for the embassy. By act of parliament any communication with the Pope was made treason: Yet so little regard did the king pay to the laws, that he gave the nuncio a public and solemn reception at Windsor. The duke of Somerset, one of the bed-chamber, because he refused to assist at this ceremony, was dismissed from his employment. The nuncio resided openly in London during the rest of this reign. Four catholic bishops were publicly consecrated in the king's chapel, and sent out under the title of vicars apostolical, to exercise the episcopal function in their respective dioceses. Their pastoral letters, directed to the lay catholics of England were printed and dispersed by the express allowance and permission of the king. The regular clergy of that communion appeared at court in the habits of their order; and some
of

of them were so indiscreet as to boast, that, in a little time, they hoped to walk in procession through the capital.

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WHILE the king shocked in the most open manner all the principles and prejudices of his protestant subjects, he could not sometimes but be sensible, that he stood in need of their assistance for the execution of his designs. He had himself, by virtue of his prerogative, suspended the penal laws, and dispensed with the test; but he would gladly have obtained the sanction of parliament to these acts of power; and he knew, that, without this authority, his edicts alone would never afford a durable security to the catholics. He had employed, therefore, with the members of parliament many private conferences, which were then called *closetings*; and he used every expedient of reasons, menaces and promises to break their obstinacy in this particular. Finding all his efforts fruitless, he had dissolved the parliament, and was determined to call a new one, from which he expected more compliance and submission. By the practice of annulling the charters, the king was become master of all the corporations, and could at pleasure change every where the whole magistracy. The church-party, therefore, by whom the crown had been hitherto so remarkably supported, and to whom the king visibly owed his safety from all the efforts of his enemies, was deprived of authority; and the dissenters, those very enemies, were, first in London, and afterwards in

C H A P. every other corporation, substituted in their place.
LXX. Not content with this violent and dangerous in-
1687. novation, the king appointed certain regulators to examine the qualifications of electors; and directions were given them to exclude all such as adhered to the test and penal statutes¹⁴. Queries to this purpose were openly proposed in all places, in order to try the sentiments of men, and enable the king to judge of the proceedings of the future parliament. The power of the crown was at this time so great; and the revenue, managed by James's frugality, so considerable and independent; that, if he had embraced any national party, he had been ensured of success; and might have carried his authority to what length he pleased. But the catholics, to whom he had entirely devoted himself, were scarcely the hundredth part of the people. Even the protestant nonconformists, whom he so much courted, were little more than the twentieth; and what was worse, reposed no confidence in the unnatural alliance contracted with the catholics, and in the principles of toleration, which, contrary to their usual practice in all ages, seemed at present to be adopted by that sect. The king therefore, finding

¹⁴ The elections in some places, particularly in York, were transferred from the people to the magistrates, who, by the new charter, were all named by the crown. Sir John Reresby's Memoirs, p. 272. This was in reality nothing different from the king's naming the members. The same act of authority had been employed in all the boroughs of Scotland.

little hopes of success, delayed the summoning of a parliament, and proceeded still in the exercise of his illegal and arbitrary authority.

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THE whole power in Ireland had been committed to catholics. In Scotland, all the ministers, whom the king chiefly trusted, were converts to that religion. Every great office in England, civil and military, was gradually transferred from the protestants. Rochester and Clarendon, the king's brothers-in-law, though they had ever been faithful to his interests, could not, by all their services, atone for their adherence to the national religion; and had been dismissed from their employments. The violent Jefferies himself, though he had sacrificed justice and humanity to the court; yet, because he refused also to give up his religion, was declining in favor and interest. Nothing now remained but to open the door in the church and universities to the intrusion of the catholics. It was not long before the king made this rash effort; and by constraining the prelacy and established church to seek protection in the principles of liberty, he at last left himself entirely without friends and adherents.

FATHER FRANCIS, a Benedictine, was recommended by the king's mandate to the university of Cambridge for the degree of master of arts; and as it was usual for the university to confer that degree on persons eminent for learning, without regard to their religion; and as they had even admitted lately the secretary to the ambas-

C. H. A. P. fador of Morocco ; the king on that account
 LXX. thought himself the better entitled to compliance.
 1687. But the university considered, that there was a
 great difference between a compliment bestowed
 on foreigners, and degrees which gave a title
 to vote in all the elections and statutes of the
 university, and which, if conferred on the catho-
 lics, would infallibly in time render that sect
 entirely superior. They therefore refused to obey
 the king's mandate, and were cited to appear
 before the court of ecclesiastical commission. The
 vice-chancellor was suspended by that court;
 but as the university chose a man of spirit to
 succeed him, the king thought proper for the
 present to drop his pretensions.

Attempt
 upon Mag-
 dalen college.

THE attempt upon the university of Oxford
 was prosecuted with more inflexible obstinacy,
 and was attended with more important conse-
 quences. This university had lately, in their
 famous decree, made a solemn profession of
 passive obedience; and the court probably ex-
 pected, that they would show their sincerity,
 when their turn came to practise that doctrine;
 which, though, if carried to the utmost extent,
 it be contrary both to reason and to nature, is
 apt to meet with the more effectual opposition
 from the latter principle. The president of Mag-
 dalen college, one of the richest foundations in
 Europe, dying about this time, a mandate was
 sent in favor of Farmer, a new convert, but
 one, who, besides his being a catholic, had not
 in other respects the qualifications required by

the statutes for enjoying that office. The fellows of the college made submissive applications to the king for recalling his mandate; but before they received an answer, the day came, on which, by their statutes, they were obliged to proceed to an election. They chose Dr. Hough, a man of virtue, as well as of the firmness and vigor requisite for maintaining his own rights and those of the university. In order to punish the college for this contumacy, as it was called, an inferior ecclesiastical commission was sent down, and the new president and the fellows were cited before it. So little regard had been paid to any consideration besides religion, that Farmer, on inquiry, was found guilty of the lowest and most scandalous vices; infomuch that even the ecclesiastical commissioners were ashamed to insist on his election. A new mandate, therefore, was issued in favor of Parker, lately created bishop of Oxford, a man of a prostitute character, but who, like Farmer, atoned for all his vices by his avowed willingness to embrace the catholic religion. The college represented, that all presidents had ever been appointed by election, and there were few instances of the king's interposing by his recommendation in favor of any candidate; that having already made a regular election of a president, they could not deprive him of his office, and, during his life-time, substitute any other in his place; that, even if there were a vacancy, Parker, by the statutes, of their founder, could not be chosen; that

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C H A P. they had all of them bound themselves by oath
 LXX. to observe these statutes, and never on any
 1687. account to accept of a dispensation, and that
 the college had at all times so much distinguished
 itself by its loyalty, that nothing but the most
 invincible necessity could now oblige them to
 oppose his majesty's inclinations. All these reasons
 availed them nothing. The president and all
 the fellows, except two who complied, were
 expelled the college; and Parker was put in
 possession of the office. This act of violence,
 of all those which were committed during the
 reign of James, is perhaps the most illegal and
 arbitrary. When the dispensing power was the
 most strenuously insisted on by court lawyers,
 it had still been allowed, that the statutes, which
 regard private property, could not legally be
 infringed by that prerogative: Yet in this instance
 it appeared, that even these were not now secure
 from invasion. The privileges of a college are
 attacked: Men are illegally dispossessed of their
 property, for adhering to their duty, to their oaths,
 and to their religion: The fountains of the church
 are attempted to be poisoned; nor would it be long,
 it was concluded, ere all ecclesiastical, as well
 as civil preferments, would be bestowed on such
 as, negligent of honor, virtue, and sincerity,
 basely sacrificed their faith to the reigning super-
 stition. Such were the general sentiments; and
 as the universities have an intimate connexion
 with the ecclesiastical establishments, and mightily
 interest all those who have there received their

education, this arbitrary proceeding begat an universal discontent against the king's administration. C H A P.
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THE next measure of the court was an insult still more open on the ecclesiastics, and rendered the breach between the king and that powerful body fatal, as well as incurable. It is strange that James, when he felt, from the sentiments of his own heart, what a mighty influence religious zeal had over him, should yet be so infatuated as never once to suspect, that it might possibly have a proportionable authority over his subjects. Could he have profited by repeated experience, he had seen instances enow of their strong aversion to that communion, which, from a violent, imperious temper, he was determined, by every possible expedient, to introduce into his kingdoms.

THE king published a second declaration of indulgence, almost in the same terms with the former; and he subjoined an order, that, immediately after divine service, it should be read by the clergy in all the churches. As they were known universally to disapprove of the use made of the suspending power, this clause, they thought, could be meant only as an insult upon them; and they were sensible, that, by their compliance, they should expose themselves, both to public contempt, on account of their tame behaviour, and to public hatred, by their indirectly patronising so obnoxious a preroga- 1688.

C H A P. tive ¹⁵. They were determined, therefore, almost
LXX. universally to preserve the regard of the people;
1688. their only protection, while the laws were become of so little validity, and while the court was so deeply engaged in opposite interests. In order to encourage them in this resolution, six prelates, namely, Lloyde bishop of St. Asaph, Ken of Bath and Wells, Turner of Ely, Lake of Chichester, White of Peterborough, and Trelawney of Bristol, met privately with the primate, and concerted the form of a petition to the king. They there represent in few words, that, though possessed of the highest sense of loyalty, a virtue of which the church of England had given such eminent testimonies; and though desirous of affording ease in a legal way to all protestant dissenters; yet, because the declaration of indulgence was founded on a prerogative, formerly declared illegal by parliament, they could not, in prudence, honor, or conscience, so far make themselves parties as the distribution of it all over the kingdom would be interpreted to amount to. They therefore besought the king, that he would not insist upon their reading that declaration ¹⁶.

¹⁵ When Charles dissolved his last parliament, he set forth a declaration giving his reasons for that measure, and this declaration the clergy had been ordered to read to the people after divine service. These orders were agreeable to their party prejudices, and they willingly submitted to them. The contrary was now the case.

¹⁶ The words of the petition were. That the great averfeness

THE king was incapable, not only of yielding to the greatest opposition, but of allowing the slightest and most respectful contradiction to pass uncensured. He immediately embraced a resolution (and his resolutions, when once embraced, were inflexible) of punishing the bishops, for a petition so popular in its matter, and so prudent and cautious in the expression. As the petition was delivered him in private, he summoned them before the council; and questioned them whether they would acknowledge it. The bishops

found in themselves to their distributing and publishing in all their churches your majesty's late declaration for liberty of conscience, proceeds neither from any want of duty and obedience to your majesty (our holy mother, the church of England, being both in her principles and her constant practice unquestionably loyal, and having to her great honor been more than once publicly acknowledged to be so by your gracious majesty) nor yet from any want of tenderness to dissenters, in relation to whom we are willing to come to such a temper as shall be thought fit, when the matter shall be considered and settled in parliament and convocation. But among many other considerations, from this especially, because that declaration is founded upon such a dispensing power as hath been often declared illegal in parliament, and particularly in the year 1662 and 1672, and in the beginning of your majesty's reign, and is a matter of so great moment and consequence to the whole nation both in church and state, that your petitioners cannot in prudence, honor, or conscience so far make themselves parties to it as a distribution of it all over the nation and the solemn publication of it once and again, even in God's house, and in the time of divine service, must amount to in common and reasonable construction.

C H A P. saw his intention, and seemed long desirous to
 LXX. decline answering: But being pushed by the
 1688. chancellor, they at last avowed the petition. On
 their refusal to give bail, an order was immediately
 drawn for their commitment to the Tower; and the crown
 lawyers received directions to prosecute them for the
 seditious libel, which, it was pretended, they had
 composed and uttered.

Imprison-
 ment.

THE people were already aware of the danger, to which the prelates were exposed; and were raised to the highest pitch of anxiety and attention with regard to the issue of this extraordinary affair. But when they beheld these fathers of the church brought from court under the custody of a guard, when they saw them embarked in vessels on the river, and conveyed towards the Tower, all their affection for liberty, all their zeal for religion, blazed up at once; and they flew to behold this affecting spectacle. The whole shore was covered with crowds of prostrate spectators, who at once implored the blessing of those holy pastors, and addressed their petitions towards Heaven for protection during this extreme danger, to which their country and their religion stood exposed. Even the soldiers, seized with the contagion of the same spirit, flung themselves on their knees before the distressed prelates, and craved the benediction of those criminals, whom they were appointed to guard. Some persons ran into the water, that they might participate more nearly in those blessings, which the prelates were distributing on all around them.

The bishops themselves, during this triumphant suffering, augmented the general favor, by the most lowly submissive deportment; and they still exhorted the people to fear God, honor the king, and maintain their loyalty; expressions more animating than the most inflammatory speeches. And no sooner had they entered the precincts of the Tower than they hurried to chapel, in order to return thanks for those afflictions, which Heaven, in defence of its holy cause, had thought them worthy to endure.

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THEIR passage, when conducted to their trial, was, if possible, attended by greater crowds of anxious spectators. All men saw the dangerous crisis, to which affairs were reduced, and were sensible, that the king could not have put the issue on a cause more unfavorable for himself than that in which he had so imprudently engaged. Twenty-nine temporal peers (for the other prelates kept aloof) attended the prisoners to Westminster-hall; and such crowds of gentry followed the procession, that scarcely was any room left for the populace to enter. The lawyers for the bishops were Sir Robert Sawyer, Sir Francis Pemberton, Pollexfen, Treby, and Sommers. No cause, even during the prosecution of the popish plot, was ever heard with so much zeal and attention. The popular torrent, which, of itself, ran fierce and strong, was now farther irritated by the opposition of government.

Trial,

THE council for the bishops pleaded, that the law allowed subjects, if they thought themselves

G H A P. aggrieved in any particular, to apply by petition
 LXX. to the king, provided they kept within certain
 1638. bounds, which the same law prescribed to them,
 and which in the present petition the prelates
 had strictly observed: That an active obedience
 in cases, which were contrary to conscience,
 was never pretended to be due to government:
 and law was allowed to be the great measure of
 the compliance and submission of subjects: That
 when any person found commands to be impos-
 ed upon him, which he could not obey, it was
 more respectful in him to offer his reasons for
 refusal, than to remain in a fullen and refractory
 silence: That it was no breach of duty in sub-
 jects, even though not called upon, to discover
 their sense of public measures, in which every
 one had so intimate a concern: That the bishops
 in the present case were called upon, and must
 either express their approbation by compliance,
 or their disapprobation by petition: That it
 could be no sedition to deny the prerogative
 of suspending the laws; because there really was no
 such prerogative, nor ever could be, in a legal and
 limited government: That even if this prerogative
 were real, it had yet been frequently controverted
 before the whole nation, both in Westminster-hall,
 and in both houses of parliament: and no one had
 ever dreamed of punishing the denial of it as
 criminal: That the prelates, instead of making
 an appeal to the people, had applied in private
 to his majesty, and had even delivered their

petition so secretly, that, except by the confession extorted from them before the council, it was found impossible to prove them the authors: And that though the petition was afterwards printed and dispersed, it was not so much as attempted to be proved, that they had the least knowledge of the publication.

THESE arguments were convincing in themselves, and were heard with a favorable disposition by the audience. Even some of the judges, though their seats were held during pleasure, declared themselves in favor of the prisoners. The jury however, from what cause is unknown, took several hours to deliberate, and kept, during so long a time, the people in the most anxious expectation. But when the wished for verdict, *not guilty*, was at last pronounced, the intelligence was echoed through the hall, was conveyed to the crowds without, was carried into the city, and was propagated with infinite joy throughout the kingdom.

EVER since Monmouth's rebellion, the king had, every summer, encamped his army on Hounslow heath, that he might both improve their discipline, and by so unusual a spectacle over-awe the mutinous people. A popish chapel was openly erected in the midst of the camp, and great pains were taken, though in vain, to bring over the soldiers to that communion. The few converts whom the priests had made, were treated with such contempt and ignominy, as deterred every one from following the example. Even

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and acquittal
of the
bishops.

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the Irish officers, whom the king introduced into the army, served rather, from the aversion borne them, to weaken his interest among them. It happened, that the very day, on which the trial of the bishops was finished, James had reviewed the troops, and had retired into the tent of lord Feverham, the general; when he was surprised to hear a great uproar in the camp, attended with the most extravagant symptoms of tumultuary joy. He suddenly inquired the cause, and was told by Feverham, "It was nothing but the rejoicing of the soldiers for the acquittal of the bishops." "Do you call that nothing?" replied he, "but so much the worse for them."

THE king was still determined to rush forward in the same course, in which he was already, by his precipitate career, so fatally advanced. Though he knew, that every order of men, except a handful of catholics, were enraged at his past measures, and still more terrified with the future prospect; though he saw that the same discontents had reached the army, his sole resource during the general disaffection: Yet was he incapable of changing his measures, or even of remitting his violence in the prosecution of them. He struck out two of the judges; Powel and Holloway, who had appeared to favor the bishops: He issued orders to prosecute all those clergymen who had not read his declaration; that is, the whole church of England, two hundred excepted: He sent a mandate to the new fellows, whom he had obtruded on Magdalen-college, to elect for pre-

fidant, in the room of Parker, lately deceased, one Gifford, a doctor of the Sorbonne, and titular bishop of Madura: And he is even said to have nominated the same person to the see of Oxford. So great an infatuation is perhaps an object of compassion rather than of anger: And is really surprising in a man, who, in other respects, was not wholly deficient in sense and accomplishments.

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A FEW days before the acquittal of the bishops, an event happened, which, in the king's sentiments, much overbalanced all the mortifications, received on that occasion. The queen was delivered of a son, who was baptized by the name of James. This blessing was impatiently longed for, not only by the king and queen, but by all the zealous catholics both abroad and at home. They saw, that the king was past middle age; and that on his death the succession must devolve to the prince and princess of Orange, two zealous protestants, who would soon replace every thing on ancient foundations. Vows therefore were offered at every shrine for a male successor: Pilgrimages were undertaken, particularly one to Loretto, by the dutchess of Modena; and success was chiefly attributed to that pious journey. But in proportion as this event was agreeable to the catholics, it increased the disgust of the protestants, by depriving them of that pleasing, though somewhat distant prospect, in which at present they flattered themselves. Calumny even went so far as to ascribe to the king

10th June.
Birth of the
prince of
Wales.

C H A P. the design of imposing on the world a suppositi-
 LXX, tious child, who might be educated in his prin-
 1688. ciples, and after his death support the catholic
 religion in his dominions. The nation almost
 universally believed him capable, from bigotry,
 of committing any crime; as they had seen, that,
 from like motives, he was guilty of every im-
 prudence: And the affections of nature, they
 thought, would be easily sacrificed to the superior
 motive of propagating a catholic and orthodox
 faith. The present occasion was not the first,
 when that calumny had been invented. In the
 year 1682, the queen, then dutchess of York,
 had been pregnant; and rumors were spread that
 an imposture would at that time be obtruded
 upon the nation: But happily, the infant proved
 a female, and thereby spared the party all the
 trouble of supporting their improbable fiction¹⁷.

¹⁷ This story is taken notice of in a weekly paper, the
 Observer, published at that very time, 23d of August, 1682.
 Party zeal is capable of swallowing the most incredible story;
 but it is surely singular, that the same calumny, when once
 baffled, should yet be renewed with such success.

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Conduct of the prince of Orange — He forms a league against France — Refuses to concur with the king — Resolves to oppose the king — Is applied to by the English — Coalition of parties — Prince's preparations — Offers of France to the King — Rejected — Supposed league with France — General discontents — The king retracts his measures — Prince's declaration — The prince lands in England — General commotion — Desertion of the army — And of prince George — And of the princess Anne — King's consternation — And flight — General confusion — King seized at Feversham — Second escape — King's character — Convention summoned — Settlement of Scotland — English convention meets — Views of the parties — Free conference between the houses — Commons prevail — Settlement of the crown — Manners and sciences.

WHILE every motive, civil and religious, concurred to alienate from the king every rank and denomination of men, it might be expected, that his throne would, without delay, fall to pieces by its own weight: But such is the influence of established government; so averse are men from beginning hazardous enterprizes; that, had not an attack been made from abroad, affairs might long have remained in their present delicate situa-

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C H A P. tion, and James might at last have prevailed in
LXXI. his rash, and ill concerted projects.

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Conduct of
the prince
of Orange.

THE prince of Orange, ever since his marriage with the lady Mary, had maintained a very prudent conduct; agreeably to that sound understanding, with which he was so eminently endowed. He made it a maxim to concern himself little in English affairs, and never by any measure to disgust any of the factions, or give umbrage to the prince, who filled the throne. His natural inclination, as well as his interest, led him to employ himself with assiduous industry in the transactions on the continent, and to oppose the grandeur of the French monarch, against whom he had long, both from personal and political considerations, conceived a violent animosity. By this conduct, he gratified the prejudices of the whole English nation: But as he crossed the inclinations of Charles, who sought peace by compliance with France, he had much declined in the favor and affections of that monarch.

JAMES on his accession found it so much his interest to live on good terms with the heir apparent, that he showed the prince some demonstrations of friendship; and the prince, on his part, was not wanting in every instance of duty and regard towards the king. On Monmouth's invasion, he immediately dispatched over six regiments of British troops, which were in the Dutch service; and he offered to take the command of the king's forces against the rebels. How little soever he might approve of James's administration, he

always kept a total silence on the subject, and gave no countenance to those discontents, which were propagated with such industry throughout the nation.

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IT was from the application of James himself, that the prince first openly took any part in English affairs. Notwithstanding the lofty ideas, which the king had entertained of his prerogative, he found, that the edicts, emitted from it, still wanted much of the authority of laws, and that the continuance of them might in the issue become dangerous, both to himself and to the catholics, whom he desired to favor. An act of parliament alone could insure the indulgence or toleration, which he had labored to establish; and he hoped, that, if the prince would declare in favor of that scheme, the members, who had hitherto resisted all his own applications, would at last be prevailed with to adopt it. The consent, therefore, of the prince to the repeal of the penal statutes and of the test was strongly solicited by the king; and in order to engage him to agree to that measure, hopes were given¹, that England would second him in all those enterprises, which his active and extensive genius had with such success planned on the continent. He was at this time the center of all the negociations of Christendom.

THE emperor and the king of Spain, as the prince well knew, were enraged by the repeated injuries, which they had suffered from the

He forms
a league
against
France.

¹ Burnet, vol. i. p. 711. D'Avaux, 15th of April, 1688.

C H A P. ambition of Lewis, and still more by the frequent
 LXXI. insults, which his pride had made them undergo.
 1688. He was apprized of the influence of these monarchs over the catholic princes of the empire: He had himself acquired great authority with the protestant: And he formed a project of uniting Europe in one general league against the encroachments of France, which seemed so nearly to threaten the independence of all its neighbours.

No characters are more incompatible than those of a conqueror and a persecutor; and Lewis soon found, that besides his weakening France by the banishment of so many useful subjects, the refugees had inflamed all the protestant nations against him, and had raised him enemies, who, in defence of their religion as well as liberty, were obstinately resolved to oppose his progress. The city of Amsterdam and other towns in Holland, which had before fallen into a dependence on France, being terrified with the accounts, which they every moment received, of the furious persecutions against the Hugonots, had now dropped all domestic faction, and had entered into an entire confidence with the prince of Orange². The protestant princes of the empire formed a separate league at Magdeburgh for the defence of their religion. The English were a-new enraged at the blind bigotry of their sovereign, and were disposed to embrace the most desperate

² D'Avaux, 24th of July, 1681; 10 of June, 15th of October, 11th of November, 1688; vol. iv. p. 30.

resolutions against him. From a view of the state of Europe during this period, it appears, that Lewis, besides fullying an illustrious reign, had wantonly by this persecution raised invincible barriers to his arms, which otherwise it had been difficult, if not impossible, to resist.

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THE prince of Orange knew how to avail himself of all these advantages. By his intrigues and influence there was formed at Augsburgh a league, in which the whole empire united for its defence against the French monarch. Spain and Holland became parties in the alliance. The accession of Savoy was afterwards obtained. Sweden and Denmark seemed to favor the same cause. But though these numerous states composed the greater part of Europe, the league was still deemed imperfect and unequal to its end; so long as England maintained that neutrality, in which she had hitherto persevered.

JAMES, though more prone to bigotry, was more sensible to his own and to national honor than his brother; and had he not been restrained by the former motive, he would have maintained with more spirit the interests and independence of his kingdoms. When a prospect, therefore, appeared of effecting his religious schemes by opposing the progress of France, he was not averse to that measure; and he gave his son-in-law room to hope, that, by concurring with his views in England, he might prevail with him to second those projects, which the prince was so ambitious of promoting.

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Refuses to
concur with
the king.

A MORE tempting offer could not be made to a person of his enterprising character: But the objections to that measure, upon deliberation, appeared to him unfurmountable. The king, he observed, had incurred the hatred of his own subjects: Great apprehensions were entertained of his designs: The only resource, which the nation saw, was in the future succession of the prince and princess; Should *he* concur in those dreaded measures, he should draw on himself all the odium, under which the king labored: The nation might even refuse to bear the expense of alliances, which would in that case become so suspicious: And he might himself incur danger of losing a succession, which was awaiting him, and which the egregious indiscretion of the king seemed even to give him hopes of reaping, before it should devolve to him by the course of nature. The prince, therefore, would go no farther than to promise his consent to the repeal of the penal statutes, by which the nonconformists as well as catholics were exposed to punishment: The test he deemed a security absolutely necessary for the established religion.

THE king did not remain satisfied with a single trial. There was one Stuart, a Scotch lawyer, who had been banished for pretended treasonable practices; but who had afterwards obtained a pardon, and had been recalled. By the king's directions, Stuart wrote several letters to pensionary Fagel, with whom he had contracted an acquaintance in Holland; and besides urging all

the motives for an unlimited toleration, he desired, that his reasons should, in the king's name, be communicated to the prince and princess of Orange. Fagel during a long time made no reply; but finding, that his silence was construed into an assent, he at last expressed his own sentiments and those of their Highnesses. He said, that it was their fixed opinion, that no man, merely because he differed from the established faith, should ever, while he remained a peaceable subject, be exposed to any punishment or even vexation. That the prince and princess gave heartily their consent for repealing legally all the penal statutes, as well those which had been enacted against the catholics as against the protestant nonconformists; and would concur with the king in any measure for that purpose. That the test was not to be considered as a penalty inflicted on the professors of any religion, but as a security provided for the established worship. That it was no punishment on men to be excluded from public offices, and to live peaceably on their own revenues or industry. That even in the United Provinces, which were so often cited as models of toleration, though all sects were admitted, yet civil offices were enjoyed by the professors of the established religion alone. That military commands, indeed, were sometimes bestowed on catholics; but as they were conferred with great precaution, and still lay under the controul of the magistrate, they could give no just reason for umbrage. And that their Highnesses, however desirous of gratifying

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C H A P. the king, and of endeavouring, by every means,
LXXI. to render his reign peaceable and happy, could
1688. not agree to any measure, which would expose
 their religion to such imminent danger.

WHEN this letter was published, as it soon was, it inspired great courage into the protestants of all denominations; and served to keep them united in their opposition to the encroachments of the catholics. On the other hand, the king, who was not content with a simple toleration for his own religion, but was resolved, that it should enjoy great credit, if not an absolute superiority, was extremely disgusted, and took every occasion to express his displeasure, as well against the prince of Orange as the United Provinces. He gave the Algerine pirates, who preyed on the Dutch, a reception in his harbours, and liberty to dispose of their prizes. He revived some complaints of the East India company with regard to the affair of Bantam³. He required the six British regiments in the Dutch service to be sent over. He began to put his navy in a formidable condition. And from all his movements, the Hollanders entertained apprehensions, that he sought only an occasion and pretence for making war upon them.

Resolves to
 oppose the
 king.

THE prince in his turn resolved to push affairs with more vigor, and to preserve all the English protestants in his interests, as well as maintain them firm in their present union against the

³ D'Avaux, 21st of January, 1687.

catholics. He knew, that men of education in England were, many of them, retained in their religion more by honor than by principle⁴; and that, though every one was ashamed to be the first profelyte, yet if the example were once set by some eminent persons, interest would every day make considerable conversions to a communion, which was so zealously encouraged by the sovereign. Dykvelt therefore was sent over as envoy to England; and the prince gave him instructions, besides publicly remonstrating on the conduct of affairs both at home and abroad, to apply in his name, after a proper manner, to every sect and denomination. To the church-party he sent assurances of favor and regard, and protested, that his education in Holland had no-wise prejudiced him against episcopal government. The nonconformists were exhorted not to be deceived by the fallacious caresses of a popish court, but to wait patiently, till, in the fullness of time, laws, enacted by protestants, should give them that toleration, which, with so much reason, they had long demanded. Dykvelt executed his commission with such dexterity, that all orders of men cast their eyes towards Holland, and expected thence a deliverance from those dangers, with which their religion and liberty were so nearly threatened.

MANY of the most considerable persons, both in church and state, made secret applications to

Is applied to
by the Eng-
lish.

⁴ Burnet.

C H A P. LXXI. 1688. Dykvelt, and through him to the prince of Orange. Admiral Herbert too, though a man of great expence, and seemingly of little religion, had thrown up his employments, and had retired to the Hague, where he assured the prince of the disaffection of the seamen, by whom that admiral was extremely beloved. Admiral Russel, cousin german to the unfortunate lord of that name, passed frequently between England and Holland, and kept the communication open with all the great men of the protestant party. Henry Sidney, brother to Algernon, and uncle to the earl of Sunderland, came over under pretence of drinking the waters at Spaw, and conveyed still stronger assurances of an universal combination against the measures of the king. Lord Dumblaine, son of the earl of Danby, being master of a frigate, made several voyages to Holland, and carried from many of the nobility tenders of duty, and even considerable sums of money⁵, to the prince of Orange.

THERE remained, however, some reasons, which retained all parties in awe, and kept them from breaking out into immediate hostility. The prince, on the one hand, was afraid of hazarding, by violent measures, an inheritance, which the laws ensured to the princess; and the English protestants, on the other, from the prospect of her succession, still entertained hopes of obtaining

⁵ D'Avaux, 14th and 24th of September, 8th and 15th of October, 1688.

at last a peaceable and a safe redress of all their grievances. But when a son was born to the king, both the prince and the English nation were reduced to despair, and saw no resource but in a confederacy for their mutual interests. And thus the event, which James had so long made the object of his most ardent prayers, and from which he expected the firm establishment of his throne, proved the immediate cause of his ruin and downfall.

ZUYLESTEIN, who had been sent over to congratulate the king on the birth of his son, brought back to the prince invitations from most of the great men in England, to assist them, by his arms, in the recovery of their laws and liberties. The bishop of London, the earls of Danby, Nottingham, Devonshire, Dorset, the duke of Norfolk, the lords Lovelace, Delamere, Paulet, Eland, Mr. Hambden, Powle, Lester, besides many eminent citizens of London; all these persons, though of opposite parties, concurred in their applications to the prince. The whigs, suitably to their ancient principles of liberty, which had led them to attempt the exclusion-bill, easily agreed to oppose a king, whose conduct had justified whatever his worst enemies had prognosticated concerning his succession. The tories and the church-party, finding their past services forgotten, their rights invaded, their religion threatened, agreed to drop for the present all over-strained doctrines of submission, and attend to the great and powerful dictates of nature.

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Coalition of
parties.

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The nonconformists, dreading the caresses of known and inveterate enemies, deemed the offers of toleration more secure from a prince, educated in those principles, and accustomed to that practice. And thus all faction was for a time laid asleep in England; and rival parties, forgetting their animosity, had secretly concurred in a design of resisting their unhappy and misguided sovereign. The earl of Shrewsbury, who had acquired great popularity by deserting, at this time, the catholic religion, in which he had been educated, left his regiment, mortgaged his estate for forty thousand pounds, and made a tender of his sword and purse to the prince of Orange. Lord Wharton, notwithstanding his age and infirmities, had taken a journey for the same purpose. Lord Mordaunt was at the Hague, and pushed on the enterprize with that ardent and courageous spirit, for which he was so eminent. Even Sunderland, the king's favorite minister, is believed to have entered into a correspondence with the prince; and at the expense of his own honor and his master's interests, to have secretly favored a cause, which, he foresaw, was likely soon to predominate.

THE prince was easily engaged to yield to the applications of the English, and to embrace the defence of a nation, which, during its present

⁶ D'Avaux was always of that opinion. See his negotiations 6th and 20th May, 18th, 27th of September, 22d of November, 1688. On the whole, that opinion is the most probable.

fears and distresses, regarded him as its sole protector. The great object of his ambition was to be placed at the head of a confederate army, and by his valor to avenge the injuries, which he himself, his country, and his allies, had sustained from the haughty Lewis. But while England remained under the present government, he despaired of ever forming a league which would be able, with any probability of success, to make opposition against that powerful monarch. The ties of affinity could not be supposed to have great influence over a person of the prince's rank and temper; much more, as he knew, that they were at first unwillingly contracted by the king, and had never since been cultivated by any essential favors or good offices. Or should any reproach remain upon him for violating the duties of private life; the glory of delivering oppressed nations would, he hoped, be able, in the eyes of reasonable men, to make ample compensation. He could not well expect, on the commencement of his enterprise, that it would lead him to mount the throne of England: But he undoubtedly foresaw, that its success would establish his authority in that kingdom. And so egregious was James's temerity, that there was no advantage, so great or obvious, which that prince's indiscretion might not afford his enemies.

THE prince of Orange, throughout his whole life, was peculiarly happy in the situations, in which he was placed. He saved his own country from ruin, he restored the liberties of these

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C H A P. kingdoms, he supported the general independence
LXXI. of Europe. And thus, though his virtue, it is
1688. confessed, be not the purest, which we meet
 with in history, it will be difficult to find any
 person, whose actions and conduct have contri-
 buted more eminently to the general interests of
 society and of mankind.

Prince's pre-
 parations.

THE time, when the prince entered on his
 enterprize, was well chosen; as the people were
 then in the highest ferment, on account of the
 insult, which the imprisonment and trial of the
 bishops had put upon the church, and indeed
 upon all the protestants of the nation. His method
 of conducting his preparations was no less wise
 and politic. Under other pretences he had before-
 hand made considerable augmentations to the
 Dutch navy; and the ships were at that time
 lying in harbour. Some additional troops were
 also levied; and sums of money, raised for other
 purposes, were diverted by the prince to the
 use of this expedition. The States had given him
 their entire confidence; and partly from terror of
 the power of France, partly from disgust at some
 restraints laid on their commerce in that kingdom,
 were sensible how necessary success in this enter-
 prise was become to their domestic happiness and
 security. Many of the neighbouring princes
 regarded him as their guardian and protector,
 and were guided by him in all their counsels.
 He held conferences with Castanaga, governor
 of the Spanish Netherlands, with the electors of
 Brandenburg and Saxony, with the Landgrave

of Hesse - Cassel, and with the whole house of Lunenburgh. It was agreed, that these princes should replace the troops employed against England, and should protect the United Provinces during the absence of the prince of Orange. Their forces were already on their march for that purpose: A considerable encampment of the Dutch army was formed at Nimeguen: Every place was in movement; and though the roots of this conspiracy reached from one end of Europe to the other, so secret were the prince's counsels, and so fortunate was the situation of affairs, that he could still cover his preparations under other pretences; and little suspicion was entertained of his real intentions.

THE king of France, menaced by the league of Augsburgh, had resolved to strike the first blow against the allies; and having fought a quarrel with the emperor and the elector Palatine, he had invaded Germany with a great army, and had laid siege to Philipsburgh. The elector of Cologne, who was also bishop of Liege and Munster, and whose territories almost entirely surrounded the United Provinces, had died about this time; and the candidates for that rich succession were prince Clement of Bavaria, supported by the house of Austria, and the cardinal of Furstemberg, a prelate dependent on France. The pope, who favored the allies, was able to throw the balance between the parties, and prince Clement was chosen; a circumstance which contributed extremely to the security of the States.

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C H A P. But as the cardinal kept possession of many of the
LXXI. fortresses, and had applied to France for succour,
1688. the neighbouring territories were full of troops;
 and by this means the preparations of the Dutch
 and their allies seemed intended merely for their
 own defence against the different enterprizes of
 Lewis.

Offers of
 France to
 the king.

ALL the artifices, however, of the prince could not entirely conceal his real intentions from the sagacity of the French court. D'Avaux, Lewis's envoy at the Hague, had been able, by a comparison of circumstances, to trace the purposes of the preparations in Holland; and he instantly informed his master of the discovery. Lewis conveyed the intelligence to James; and accompanied the information with an important offer. He was willing to join a squadron of French ships to the English fleet; and to send over any number of troops, which James should judge requisite for his security. When this proposal was rejected, he again offered to raise the siege of Philipburgh, to march his army into the Netherlands, and by the terror of his arms to detain the Dutch forces in their own country. This proposal met with no better reception.

Rejected.

JAMES was not, as yet, entirely convinced, that his son-in-law intended an invasion upon England. Fully persuaded, himself, of the sacredness of his own authority, he fancied, that a like belief had made deep impression on his subjects; and notwithstanding the strong symptoms of discontent which broke out every where, such
 an

an universal combination in rebellion appeared to him nowise credible. His army, in which he trusted, and which he had considerably augmented, would easily be able, he thought, to repel foreign force, and to suppress any sedition among the populace. A small number of French troops, joined to these, might tend only to breed discontent; and afford them a pretence for mutinying against foreigners, so much feared and hated by the nation. A great body of auxiliaries might indeed secure him both against an invasion from Holland, and against the rebellion of his own subjects; but would be able afterwards to reduce him to dependence, and render his authority entirely precarious. Even the French invasion of the Low Countries might be attended with dangerous consequences; and would suffice, in these jealous times, to revive the old suspicion of a combination against Holland, and against the protestant religion; a suspicion, which had already produced such discontents in England. These were the views suggested by Sunderland; and it must be confessed, that the reasons, on which they were founded, were sufficiently plausible; as indeed the situation, to which the king had reduced himself, was, to the last degree, delicate and perplexing.

STILL Lewis was unwilling to abandon a friend and ally, whose interests he regarded as closely connected with his own. By the suggestion of Skelton, the king's minister at Paris, orders were sent to D'Avaux to remonstrate with the States

C H A P. in Lewis's name against those preparations, which
LXXI. they were making to invade England. The strict
1688. amity, said the French minister, which subsists between the two monarchs will make Lewis regard every attempt against his ally as an act of hostility against himself. This remonstrance had a bad effect, and put the States in a flame. What is this alliance, they asked, between France and England, which has been so carefully concealed from us? Is it of the same nature with the former; meant for our destruction and for the extirpation of the protestant religion? If so, it is high time for us to provide for our own defence, and to anticipate those projects, which are forming against us.

EVEN James was displeased with this officious step taken by Lewis for his service. He was not reduced, he said, to the condition of the cardinal of Furstemberg, and obliged to seek the protection of France. He recalled Skelton, and threw him into the Tower for his rash conduct. He solemnly disavowed D'Avaux's memorial; and protested, that no alliance subsisted between him and Lewis, but what was public and known to all the world. The States, however, still affected to appear incredulous on that head⁷; and the

⁷ That there really was no new alliance formed betwixt France and England appears both from Sunderland's apology, and from D'Avaux's negotiations, lately published: See vol. iv. p. 18. Eng. translation, 27th of September, 1687. 16th of March, 6th of May, 10th of August, 2d. 23d. and 24th of September, 5th, and 7th of October, 11th of November, 1688.

English, prepossessed against their sovereign, C H A P.
firmly, believed, that he had concerted a project LXXI.
with Lewis for their entire subjection. Portsmouth, 1688
it was said, was to be put into the hands of that
ambitious monarch: England was to be filled
with French and Irish troops: And every man,
who refused to embrace the Romish superstition,
was by these bigoted princes devoted to certain
destruction.

THESE suggestions were every where spread
abroad, and tended to augment the discontents,
of which both the fleet and army, as well as
the people, betrayed every day the most evident
symptoms. The fleet had begun to mutiny;
because Stricland, the admiral, a Roman catholic,
introduced the mass aboard his ship, and dismissed
the protestant chaplain. It was with some dif-
ficulty the seamen could be appeased; and they
still persisted in declaring, that they would not
fight against the Dutch, whom they called friends
and brethren; but would willingly give battle
to the French, whom they regarded as national
enemies. The king had intended to augment his
army with Irish recruits, and he resolved to try
the experiment on the regiment of the duke of
Berwic, his natural son; But Beaumont, the
lieutenant-colonel, refused to admit them; and
to this opposition five captains steadily adhered.
They were all cashiered; and had not the dis-
contents of the army on this occasion become
very apparent, it was resolved to have punished
those officers for mutiny.

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THE king made a trial of the dispositions of his army, in a manner still more undisguised. Finding opposition from all the civil and ecclesiastical orders of the kingdom, he resolved to appeal to the military, who, if unanimous, were able alone to serve all his purposes, and to enforce universal obedience. His intention was to engage all the regiments, one after another, to give their consent to the repeal of the test and penal statutes; and accordingly, the major of Litchfield's drew out the battalion before the king, and told them, that they were required either to enter into his majesty's views in these particulars, or to lay down their arms. James was surprised to find, that, two captains, and a few popish soldiers excepted, the whole battalion immediately embraced the latter part of the alternative. For some time, he remained speechless; but having recovered from his astonishment, he commanded them to take up their arms; adding with a sullen, discontented air, "That for the future, he would not do them the honor to apply for their probation."

23d Sept.

WHILE the king was dismayed with these symptoms of general disaffection, he received a letter from the marquis of Albeville, his minister at the Hague, which informed him with certainty, that he was soon to look for a powerful invasion from Holland, and that pensionary Fagel had at length acknowledged, that the scope of all the Dutch naval preparations was to transport forces into England. Though James could reasonably

expect no other intelligence, he was astonished at the news : He grew pale, and the letter dropped from his hand : His eyes were now opened, and he found himself on the brink of a frightful precipice, which his delusions had hitherto concealed from him. His ministers and counsellors, equally astonished, saw no resource but in a sudden and precipitate retraction of all those fatal measures, by which he had created to himself so many enemies, foreign and domestic. He paid court to the Dutch, and offered to enter into any alliance with them for common security : He replaced in all the counties the deputy-lieutenants and justices, who had been deprived of their commissions for their adherence to the test and the penal laws : He restored the charters of London, and of all the corporations : He annulled the court of ecclesiastical commission : He took off the bishop of London's suspension : He reinstated the expelled president and fellows of Magdalen college : And he was even reduced to caress those bishops, whom he had so lately prosecuted and insulted. All these measures were regarded as symptoms of fear, not of repentance. The bishops instead of promising succour, or suggesting comfort, recapitulated to him all the instances of his mal-administration, and advised him thenceforwards to follow more salutary counsel. And as intelligence arrived of a great disaster, which had befallen the Dutch fleet, it is commonly believed, that the king recalled, for some time, the concessions, which he had made to Magdalen

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The king
retracts his
measures.

G H A P. college : A bad sign of his sincerity in his other
 LXXI. concessions. Nay , so prevalent were his unfor-
 1682. tunate prepossessions , that amidst all his present
 distresses , he could not forbear , at the baptism
 of the young prince , appointing the pope to be
 one of the godfathers.

THE report , that a supposititious child was to
 be imposed on the nation , had been widely
 spread , and greedily received , before the birth
 of the prince of Wales : But the king , who ,
 without seeming to take notice of the matter ,
 might easily have quashed that ridiculous rumor ,
 had , from an ill-timed haughtiness , totally ne-
 glected it. He disdained , he said , to satisfy
 those , who could deem him capable of so base
 and villainous an action. Finding that the
 calumny gained ground , and had made deep im-
 pression on his subjects , he was now obliged to
 submit to the mortifying task of ascertaining
 the reality of the birth. Though no particular
 attention had been before hand given to ensure
 proof , the evidence , both of the queen's preg-
 nancy and delivery was rendered indisputable ;
 and so much the more , as no argument or proof
 of any importance , nothing but popular rumor
 and surmise , could be thrown into the opposite
 scale.

Prince's de-
 claration.

MEANWHILE , the prince of Orange's decla-
 ration was dispersed over the kingdom , and met
 with universal approbation. All the grievances
 of the nation were there enumerated : The dis-
 pensing and suspending power ; the court of eccle-

fiastical commission ; the filling of all offices with catholics , and the raising of a Jesuit to be privy-counsellor ; the open encouragement given to popery , by building every where churches , colleges , and seminaries for that sect ; the displacing of judges , if they refused to give sentence according to orders received from court ; the annulling of the charters of all the corporations , and the subjecting of elections to arbitrary will and pleasure ; the treating of petitions , even the most modest , and from persons of the highest rank , as criminal and seditious ; the committing of the whole authority of Ireland , civil and military , into the hands of papists ; the assuming of an absolute power over the religion and laws of Scotland , and openly exacting in that kingdom an obedience without reserve ; and the violent presumptions against the legitimacy of the prince of Wales. In order to redress all these grievances , the prince said , that he intended to come over to England with an armed force , which might protect him from the king's evil counsellors : And that his sole aim was to have a legal and free parliament assembled , who might provide for the safety and liberty of the nation , as well as examine the proofs of the prince of Wales's legitimacy. No one , he added , could entertain such hard thoughts of him as to imagine , that he had formed any other design than to procure the full and lasting settlement of religion , liberty , and property. The force , which he meant to bring with him , was totally disproportioned to

C H A P. any views of conquest; and it were absurd to
 LXXI. suspect; that so many persons of high rank, both
 1688. in church and state, would have given him so
 many solemn invitations for such a pernicious
 purpose. Though the English ministers, terrified
 with his enterprize, had pretended to redress
 some of the grievances complained of; there still
 remained the foundation of all grievances, that
 upon which they could in an instant be again
 erected, an arbitrary and despotic power in the
 crown. And for this usurpation there was no
 possible remedy, but by a full declaration of all
 the rights of the subject in a free parliament.

21st of Oc-
 tober.

So well concerted were the prince's measures,
 that, in three days, above four hundred trans-
 ports were hired; the army quickly fell down
 the rivers and canals from Nimeguen; the artil-
 lery, arms, stores, and horses, were embarked;
 and the prince set sail from Helvoet-Sluis, with
 a fleet of near five hundred vessels, and an army
 of above fourteen thousand men. He first en-
 countered a storm, which drove him back: But
 his loss being soon repaired, the fleet put to sea
 under the command of admiral Herbert, and
 made sail with a fair wind towards the west of
 England. The same wind detained the king's
 fleet in their station near Harwich, and enabled
 the Dutch to pass the streights of Dover without
 opposition. Both shores were covered with mul-
 titudes of people, who, besides admiring the
 grandeur of the spectacle, were held in anxious
 suspense by the prospect of an enterprize, the

most important, which, during some ages, had been undertaken in Europe. The prince had a prosperous voyage, and landed his army safely in Torbay on the fifth of November, the anniversary of the gunpowder-treason.

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THE Dutch army marched first to Exeter; and the prince's declaration was there published. That whole county was so terrified with the executions, which had ensued upon Monmouth's rebellion, that no one for several days joined the prince. The bishop of Exeter in a fright fled to London, and carried to court intelligence of the invasion. As a reward of his zeal, he received the archbishopric of York, which had long been kept vacant, with an intention, as was universally believed, of bestowing it on some catholic. The first person, who joined the prince, was major Burrington; and he was quickly followed by the gentry of the counties of Devon and Somerset. Sir Edward Seymour made proposals for an association, which every one signed. By degrees, the earl of Abingdon, Mr. Russel, son of the earl of Bedford, Mr. Wharton, Godfrey, Howe came to Exeter. All England was in commotion. Lord Delamere took arms in Cheshire, the earl of Danby seized York, the earl of Bath, governor of Plymouth, declared for the prince, the earl of Devonshire made a like declaration in Derby. The nobility and gentry of Nottinghamshire embraced the same cause; and every day there appeared some effect of that universal combination, into which the nation had entered against the

General
commotion.

C H A P. measures of the king. Even those who took not
 LXXI. the field against him, were able to embarrass and
 1688. confound his counsels. A petition for a free
 parliament was signed by twenty-four bishops
 and peers of the greatest distinction and was pre-
 sented to the king. No one thought of opposing
 or resisting the invader.

Defertion of
 the army, BUT the most dangerous symptom was the
 disaffection, which from the general spirit of the
 nation, not from any particular reason, had crept
 into the army. The officers seemed all disposed
 to prefer the interests of their country and of
 their religion to those principles of honor and
 fidelity, which are commonly esteemed the most
 sacred ties by men of that profession. Lord Col-
 chester, son of the earl of Rivers, was the first
 officer that deserted to the prince; and he was
 attended by a few of his troops. Lord Lovelace
 made a like effort; but was intercepted by the
 militia under the duke of Beaufort and taken pri-
 soner: Lord Cornbury, son of the earl of Cla-
 rendon, was more successful. He attempted to
 carry over three regiments of cavalry; and he
 actually brought a considerable part of them to
 the prince's quarters. Several officers of distinction
 informed Feversham, the general, that they
 could not in conscience fight against the prince
 of Orange.

LORD CHURCHILL had been raised from the
 rank of a page, had been invested with a high
 command in the army, had been created a peer,
 and had owed his whole fortune to the king's

favor : Yet even he could resolve, during the present extremity, to desert his unhappy master, who had ever reposed entire confidence in him. He carried with him the duke of Grafton, natural son of the late king, colonel Berkeley, and some troops of dragoons. This conduct was a signal sacrifice to public virtue of every duty in private life ; and required, ever after, the most upright, disinterested, and public spirited behaviour to render it justifiable.

THE king had arrived at Salisbury, the head quarters of his army, when he received this fatal intelligence. That prince, though a severe enemy, had ever appeared a warm, steady, and sincere friend; and he was extremely shocked with this, as with many other instances of ingratitude, to which he was now exposed. There remained none in whom he could confide. As the whole army had discovered symptoms of discontent, he concluded it full of treachery ; and being deserted by those whom he had most favored and obliged, he no longer expected, that others would hazard their lives in his service. During this distraction and perplexity, he embraced a sudden resolution of drawing off his army, and retiring towards London : A measure, which could only serve to betray his fears, and provoke farther treachery.

BUT Churchill had prepared a still more mortal blow for his distressed benefactor. His lady and he had an entire ascendant over the family of prince George of Denmark ; and the time now appeared seasonable for overwhelming the unhappy,

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25th of November.

C H A P. king, who was already staggering with the violent shocks, which he had received. Andover was the first stage of James's retreat towards London; and there, prince George, together with the young duke of Ormond^s, Sir George Huet, and some other persons of distinction, deserted him in the night-time, and retired to the prince's camp. No sooner had this news reached London, than the princess Anne, pretending fear of the king's displeasure, withdrew herself in company with the bishop of London and lady Churchill. She fled to Nottingham; where the earl of Dorset received her with great respect, and the gentry of the county quickly formed a troop for her protection.

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and of prince George,

and of the princess Anne.

THE late king, in order to gratify the nation, had intrusted the education of his nieces entirely to protestants; and as these princesses were deemed the chief resource of the established religion after their father's defection, great care had been taken to instil into them, from their earliest infancy, the strongest prejudices against popery. During the violence too of such popular currents, as now prevailed in England, all private considerations are commonly lost in the general passion; and the more principle any person possesses, the more apt is he, on such occasions, to neglect and abandon his domestic duties. Though these causes may account for the behaviour of the princess, they had

^s His grandfather, the first duke of Ormond, had died this year, on the 21st of July.

nowise prepared the king to expect so astonishing an event. He burst into tears, when the first intelligence of it was conveyed to him. Undoubtedly he foresaw in this incident the total expiration of his royal authority : But the nearer and more intimate concern of a parent laid hold of his heart ; when he found himself abandoned in his uttermost distress by a child and a virtuous child, whom he had ever regarded with the most tender affection. “ God help me,” cried he, in the extremity of his agony, “ my own children “ have forsaken me !” It is indeed singular, that a prince, whose chief blame consisted in imprudences, and misguided principles, should be exposed, from religious antipathy, to such treatment as even Nero, Domitian, or the most enormous tyrants, that have disgraced the records of history, never met with from their friends and family.

So violent were the prejudices, which at this time prevailed, that this unhappy father, who had been deserted by his favorite child, was believed, upon her disappearing, to have put her to death : And it was fortunate, that the truth was timely discovered ; otherwise the populace, even the king’s guards themselves, might have been engaged, in revenge, to commence a massacre of the priests and catholics.

THE king’s fortune now exposed him to the contempt of his enemies ; and his behaviour was not such as could gain him the esteem of his friends and adherents. Unable to resist the torrent,

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King’s con-
sternation,

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he preserved not presence of mind in yielding to it ; but seemed in this emergency as much depressed with adversity , as he had before been vainly elated by prosperity. He called a council of all the peers and prelates who were in London ; and followed their advice in issuing writs for a new parliament , and in sending Halifax , Nottingham , and Godolphin as commissioners to treat with the prince of Orange. But these were the last acts of royal authority which he exerted. He even hearkened to imprudent counsel , by which he was prompted to desert the throne , and to gratify his enemies beyond what their fondest hopes could have promised them.

THE queen , observing the fury of the people , and knowing how much she was the object of general hatred , was struck with the deepest terror , and began to apprehend a parliamentary impeachment , from which , she was told , the queens of England were not exempted. The popish courtiers , and above all , the priests , were aware , that they should be the first sacrifice , and that their perpetual banishment was the smallest penalty , which they must expect from national resentment. They were , therefore , desirous of carrying the king along with them ; whose presence , they knew , would still be some resource and protection to them in foreign countries , and whose restoration , if it ever happened , would again reinstate them in power and authority. The general defection of the protestants made the king regard the catholics , as his only subjects , on whose

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counsel he could rely; and the fatal catastrophe of his father afforded them a plausible reason for making him apprehend a like fate. The great difference of circumstances was not, during men's present distractions, sufficiently weighed. Even after the people were inflamed by a long civil war, the execution of Charles I. could not be deemed a national deed: It was perpetrated by a fanatical army, pushed on by a daring and enthusiastical leader; and the whole kingdom had ever entertained, and did still entertain, a violent abhorrence against that enormity. The situation of public affairs, therefore, no more resembled what it was forty years before, than the prince of Orange, either in birth, character, fortune, or connexions, could be supposed a parallel to Cromwel.

THE emissaries of France, and among the rest, Barillon, the French ambassador, were busy about the king; and they had entertained a very false notion, which they instilled into him, that nothing would more certainly retard the public settlement, and beget universal confusion, than his deserting the kingdom. The prince of Orange had with good reason embraced a contrary opinion; and he deemed it extremely difficult to find expedients for securing the nation, so long as the king kept possession of the crown. Actuated, therefore, by this public motive, and no less, we may well presume, by private ambition, he was determined to use every expedient, which might intimidate the king, and make him quit

C H A P. that throne, which he himself was alone enabled
 LXXI. to fill. He declined a personal conference with
 1688. James's commissioners, and sent the earls of Clarendon and Oxford to treat with them: The terms, which he proposed, implied almost a present participation of the sovereignty: And he stopped not a moment the march of his army towards London.

THE news, which the king received from all quarters, served to continue the panic, into which he was fallen, and which his enemies expected to improve to their advantage. Colonel Copel, deputy governor of Hull, made himself master of that important fortress; and threw into prison lord Langdale, the governor, a catholic; together with lord Montgomery, a nobleman of the same religion. The town of Newcastle received lord Lumley, and declared for the prince of Orange and a free parliament. The duke of Norfolk, lord lieutenant of the county of that name, engaged it in the same measure. The prince's declaration was read at Oxford by the duke of Ormond, and was received with great applause by that loyal university, who also made an offer of their plate to the prince. Every day, some person of quality or distinction, and among the rest, the duke of Somerset, went over to the enemy. A violent declaration was dispersed in the prince's name, but without his participation; in which every one was commanded to seize and punish all papists, who, contrary to law, pretended either to carry arms, or exercise any act
 of

of authority. It may not be unworthy of notice, that a merry ballad, called Lilliballero, being at this time published in derision of the papists and the Irish, it was greedily received by the people, and was sung by all ranks of men, even by the king's army, who were strongly seized with the national spirit. This incident both discovered, and served to increase, the general discontent of the kingdom.

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THE contagion of mutiny and disobedience had also reached Scotland, whence the regular forces, contrary to the advice of Balcarras, the treasurer, were withdrawn, in order to re-inforce the English army. The marquis of Athole, together with viscount Tarbat, and others, finding the opportunity favorable, began to form intrigues against Perth, the chancellor; and the presbyterians and other malecontents flocked from all quarters to Edinburgh. The chancellor, apprehensive of the consequences, found it expedient to abscond; and the populace, as if that event were a signal for their insurrection, immediately rose in arms, and rifled the popish chapel in the king's palace. All the catholics, even all the zealous royalists, were obliged to conceal themselves; and the privy council, instead of their former submissive strains of address to the king, and violent edicts against their fellow subjects, now made applications to the prince of Orange, as the restorer of law and liberty.

THE king every moment alarmed, more and more, by these proofs of a general disaffection,

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and flight.
12th Dec.

not daring to repose trust in any but those who were exposed to more danger than himself, agitated by disdain towards ingratitude, by indignation against disloyalty, impelled by his own fears and those of others, precipitately embraced the resolution of escaping into France; and he sent off beforehand the queen and the infant prince, under the conduct of count Lauzun, an old favorite of the French monarch. He himself disappeared in the night-time, attended only by Sir Edward Hales; and made the best of his way to a ship, which waited for him near the mouth of the river. As if this measure had not been the most grateful to his enemies of any that he could adopt, he had carefully concealed his intention from all the world; and nothing could equal the surprise, which seized the city, the court, and the kingdom, upon the discovery of this strange event. Men beheld, all of a sudden, the reins of government thrown up by the hand which held them; and saw none, who had any right or even pretension, to take possession of them.

THE more effectually to involve every thing in confusion, the king appointed not any one, who should, in his absence, exercise any part of the administration; he threw the great seal into the river; and he recalled all those writs, which had been issued for the election of the new parliament. It is often supposed, that the sole motive, which impelled him to this sudden desertion, was his reluctance to meet a free parliament, and his resolution not to submit to those terms, which

his subjects would deem requisite for the security of their liberties and their religion. But it must be considered, that his subjects had first deserted him, and entirely lost his confidence; that he might reasonably be supposed to entertain fears for his liberty, if not for his life; and that the conditions would not probably be moderate, which the nation, sensible of his inflexible temper, enraged with the violation of their laws and the danger of their religion, and foreseeing his resentment on account of their past resistance, would, in his present circumstances, exact from him.

C H A P.
XXI.
1688.

By this temporary dissolution of government, the populace were masters; and there was no disorder, which, during their present ferment, might not be dreaded from them. They rose in a tumult and destroyed all the malshouses. They even attacked and rifled the houses of the Florentine envoy and Spanish ambassador, where many of the catholics had lodged their most valuable effects. Jefferies, the chancellor, who had disguised himself, in order to fly the kingdom, was discovered by them, and so abused, that he died a little after. Even the army, which should have suppressed those tumults, would, it was apprehended, serve rather to increase the general disorder. Feversham had no sooner heard of the king's flight, than he disbanded the troops in the neighbourhood, and without either disarming or paying them, let them loose, to prey upon the country.

C H A P. LXXI. 1688. IN this extremity, the bishops and peers, who were in town, being the only remaining authority of the state (for the privy council, composed of the king's creatures, was totally disregarded) thought proper to assemble, and to interpose for the preservation of the community. They chose the marquis of Halifax speaker: They gave directions to the mayor and aldermen for keeping the peace of the city: They issued orders, which were readily obeyed, to the fleet, the army, and all the garrisons: And they made applications to the prince of Orange, whose enterprise they highly applauded, and whose success they joyfully congratulated.

THE prince on his part was not wanting to the tide of success, which flowed in upon him, nor backward in assuming that authority, which the present exigence had put into his hands. Besides the general popularity, attending his cause, a new incident made his approach to London still more grateful. In the present trepidation of the people, a rumor arose, either from chance or design, that the disbanded Irish had taken arms, and had commenced an universal massacre of the protestants. This ridiculous belief was spread all over the kingdom in one day; and begat every where the deepest consternation. The alarm-bells were rung; the beacons fired; men fancied that they saw at a distance the smoke of the burning cities, and heard the groans of those who were slaughtered in their neighbourhood. It is surprising, that the catholics did not

all perish, in the rage which naturally succeeds to such popular panics. C H A P.

LXXI.

1688.

WHILE every one from principle, interest, or animosity, turned his back on the unhappy king, who had abandoned his own cause, the unwelcome news arrived, that he had been seized by the populace at Feversham, as he was making his escape in disguise; that he had been much abused, till he was known; but that the gentry had then interposed and protected him, though they still refused to consent to his escape. This intelligence threw all parties into confusion. The prince sent Zuylestein with orders, that the king should approach no nearer than Rochester; but the message came too late. He was already arrived in London, where the populace, moved by compassion for his unhappy fate, and actuated by their own levity, had received him with shouts and acclamations.

King seized
at Fevers-
ham.

DURING the king's abode at Whitehall, little attention was paid to him by the nobility or any persons of distinction. They had, all of them, been previously disgusted on account of his blind partiality to the catholics; and they knew, that they were now become criminal in his eyes by their late public applications to the prince of Orange. He himself showed not any symptom of spirit, nor discovered any intention of resuming the reins of government, which he had once thrown aside. His authority was now plainly expired; and as he had exercised his power, while possessed of it, with very precipitate

C H A P. and haughty counfels, he relinquifhed it by a
 LXXI. defpair, equally precipitate and pufillanimous.
 1688.

NOTHING remained for the now ruling powers but to deliberate how they fhould difpofe of his perfon. Befides, that the prince may juftly be fupposed to have poffeffed more generofity than to think of offering violence to an unhappy monarch, fo nearly related to him, he knew, that nothing would fo effectually promote his own views as the king's retiring into France, a country at all times obnoxious to the Englifh. It was determined, therefore, to push him into that measure, which, of himfelf, he feemed fufficiently inclined to embrace. The king having fent lord Feverfhaw on a civil meffage to the prince, defiring a conference for an accommodation in order to the public fettlement, that nobleman was put in arreft, under pretence of his coming without a paffport: The Dutch guards were ordered to take poffeffion of Whitehall, where James then refided, and to difplace the Englifh: And Halifax, Shrewsbury, and Delamere, brought a meffage from the prince, which they delivered to the king in bed after midnight, ordering him to leave his palace next morning, and to depart for Ham, a feat of the dutcheffs of Lauderdale's. He defired permiffion, which was eafily granted, of retiring to Rochefter, a town near the fea-coaft. It was perceived, that the artifice had taken effect; and that the king, terrified with this harfh treatment, had renewed his former refolution of leaving the kingdom.

HE lingered, however, some days at Rochester, under the protection of a Dutch guard, and seemed desirous of an invitation still to keep possession of the throne. He was undoubtedly sensible, that, as he had, at first, trusted too much to his people's loyalty, and in confidence of their submission, had offered the greatest violence to their principles and prejudices; so had he, at last, on finding his disappointment, gone too far in the other extreme, and had hastily supposed them destitute of all sense of duty or allegiance. But observing, that the church, the nobility, the city, the country, all concurred in neglecting him, and leaving him to his own counsels, he submitted to his melancholy fate; and being urged by earnest letters from the queen, he privately embarked on board a frigate which waited for him; and he arrived safely at Ambleteuse in Picardy, whence he hastened to St. Germans. Lewis received him with the highest generosity, sympathy, and regard, a conduct, which, more than his most signal victories, contributes to the honor of that great monarch.

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1688.

Second
escape.
23d Dec.

THUS ended the reign of a prince, whom, if we consider his personal character rather than his public conduct, we may safely pronounce more unfortunate than criminal. He had many of those qualities, which form a good citizen: Even some of those, which, had they not been swallowed up in bigotry and arbitrary principles, serve to compose a good sovereign. In domestic life, his conduct was irreproachable, and is entitled to

King's character.

C H A P. our approbation. Severe, but open in his enmities,
 LXXI. steady in his counsels, diligent in his schemes,
 1688. brave in his enterprizes, faithful, sincere, and
 honorable in his dealings with all men: Such
 was the character with which the duke of York
 mounted the throne of England. In that high
 station, his frugality of public money was remark-
 able, his industry exemplary, his application to
 naval affairs successful, his encouragement of
 trade judicious, his jealousy of national honor
 laudable: What then was wanting to make him
 an excellent sovereign? A due regard and affec-
 tion to the religion and constitution of his country.
 Had he been possessed of this essential quality,
 even his middling talents, aided by so many
 virtues, would have rendered his reign honorable
 and happy. When it was wanting, every excel-
 lence, which he possessed, became dangerous and
 pernicious to his kingdoms.

THE sincerity of this prince (a virtue, on
 which he highly valued himself) has been much
 questioned in those reiterated promises, which
 he had made of preserving the liberties and
 religion of the nation. It must be confessed, that
 his reign was almost one continued invasion of
 both; yet it is known, that, to his last breath,
 he persisted in asserting, that he never meant to
 subvert the laws, or procure more than a tolera-
 tion and an equality of privileges to his catholic
 subjects. This question can only affect the personal
 character of the king, not our judgment of his
 public conduct. Though by a stretch of candor
 we should admit of his sincerity in these profes-

fions, the people were equally justifiable in their resistance of him. So lofty was the idea, which he had entertained of his *legal* authority, that it left his subjects little or no right to liberty, but what was dependent on his sovereign will and pleasure. And such was his zeal for profelytism, that, whatever he might at first have intended, he plainly stopped not at toleration and equality: He confined all power, encouragement, and favor to the catholics: Converts from interest would soon have multiplied upon him: If not the greater, at least the better part of the people, he would have flattered himself, was brought over to his religion: And he would in a little time have thought it just, as well as pious, to bestow on them all the public establishments. Rigors and persecutions against heretics would speedily have followed; and thus liberty and the protestant religion would in the issue have been totally subverted; though we should not suppose, that James, in the commencement of his reign, had formally fixed a plan for that purpose. And on the whole, allowing this king to have possessed good qualities and good intentions, his conduct serves only, on that very account, as a stronger proof, how dangerous it is to allow any prince, infected with the catholic superstition, to wear the crown of these kingdoms.

AFTER this manner, the courage and abilities of the prince of Orange, seconded by surprising fortune, had effected the deliverance of this island; and with very little effusion of blood (for

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C H A P. only one officer of the Dutch army and a few
 LXXI. private soldiers fell in an accidental skirmish) had
 1688. dethroned a great prince, supported by a formidable
 fleet and a numerous army. Still the more
 difficult task remained, and what perhaps the
 prince regarded as not the least important: The
 obtaining for himself that crown, which had
 fallen from the head of his father-in-law. Some
 lawyers, entangled in the subtilties and forms
 of their profession, could think of no expedient;
 but that the prince should claim the crown by
 right of conquest; should immediately assume the
 title of sovereign; and should call a parliament,
 which, being thus legally summoned by a king
 in possession, could ratify whatever had been
 transacted before they assembled. But this measure,
 being destructive of the principles of liberty, the
 only principles on which his future throne could
 be established, was prudently rejected by the
 prince, who, finding himself possessed of the
 goodwill of the nation, resolved to leave them
 entirely to their own guidance and direction. The
 peers and bishops, to the number of near ninety,
 made an address, desiring him to summon a
 convention by circular letters; to assume, in the
 mean time, the management of public affairs; and
 to concert measures for the security of Ireland.
 At the same time, they refused reading a letter,
 which the king had left, in order to apologize
 for his late desertion, by the violence which had
 been put upon him. This step was a sufficient
 indication of their intentions with regard to that
 unhappy monarch.

THE prince seemed still unwilling to act upon an authority, which might be deemed so imperfect: He was desirous of obtaining a more express declaration of the public consent. A judicious expedient was fallen on for that purpose. All the members, who had sitten in the house of commons during any parliament of Charles II. (the only parliaments whose election was regarded as free) were invited to meet; and to them were added the mayor, aldermen, and fifty of the common council. This was regarded as the most proper representative of the people, that could be summoned during the present emergency. They unanimously voted the same address with the lords: And the prince, being thus supported by all the legal authority, which could possibly be obtained in this critical juncture, wrote circular letters to the counties and corporations of England; and his orders were universally complied with. A profound tranquillity prevailed throughout the kingdom; and the prince's administration was submitted to, as if he had succeeded in the most regular manner to the vacant throne. The fleet received his orders: The army, without murmur or opposition, allowed him to new-model them: And the city supplied him with a loan of two hundred thousand pounds.

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Convention
summoned.

THE conduct of the prince with regard to Scotland, was founded on the same prudent and moderate maxims. Finding, that there were many Scotchmen of rank at that time in London, he summoned them together, laid before them his

1682.

7th Jan.
Settlement
of Scotland.

C H A P. intentions, and asked their advice in the present
 LXXI. emergency. This assembly, consisting of thirty
 1689. noblemen and about fourscore gentlemen, chose
 duke Hamilton president; a man, who, being
 of a temporizing character, was determined to
 pay court to the present authority. His eldest
 son, the earl of Arran, professed an adherence to
 king James; a usual policy in Scotland, where
 the father and son, during civil commotions,
 were often observed to take opposite sides; in
 order to secure in all events the family from
 attainder. Arran proposed to invite back the king
 upon conditions; but as he was vehemently
 opposed in this motion by Sir Patric Hume, and
 seconded by nobody, the assembly made an offer
 to the prince of the present administration, which
 he willingly accepted. To anticipate a little in
 our narration; a convention, by circular letters
 from the prince, was summoned at Edinburgh
 on the twenty-second of March; where it was
 soon visible, that the interest of the malecontents
 would entirely prevail. The more zealous royal-
 ists, regarding this assembly as illegal, had
 forborn to appear at elections; and the other
 party were returned for most places. The revolu-
 tion was not, in Scotland as in England, effected
 by a coalition of whig and tory: The former
 party alone had overpowered the government,
 and were too much enraged by the past injuries,
 which they had suffered, to admit of any compo-
 sition with their former masters. As soon as the
 purpose of the convention was discovered, the

earl of Balcarras and viscount Dundee, leaders of the tories, withdrew from Edinburgh; and the convention having passed a bold and decisive vote, that king James, by his mal-administration, and his abuse of power, had *forfeited* all title to the crown, they made a tender of the royal dignity to the prince and princess of Orange.

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1689.

THE English convention was assembled; and it immediately appeared, that the house of commons, both from the prevailing humor of the people, and from the influence of present authority, were mostly chosen from among the whig-party. After thanks were unanimously given by both houses to the prince of Orange for the deliverance, which he had brought them, a less decisive vote, than that of the Scottish convention, was in a few days passed by a great majority of the commons, and sent up to the peers for their concurrence. It was contained in these words: "That king James II. having endeavoured to subvert the constitution of the kingdom, by breaking the original contract between king and people; and having, by the advice of jesuits and other wicked persons, violated the fundamental laws, and withdrawn himself out of the kingdom, has abdicated the government, and that the throne is thereby vacant."

22d Jan.
English convention
meets.

This vote, when carried to the upper house, met with great opposition; of which it is here necessary for us to explain the causes.

THE tories and the high-church party, finding themselves at once menaced with a subversion of

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Views of
the parties.

the laws and of their religion, had zealously promoted the national revolt, and had on this occasion departed from those principles of non-resistance, of which, while the king favored them, they had formerly made such loud professions. Their present apprehensions had prevailed over their political tenets; and the unfortunate James, who had too much trusted to those general declarations, which never will be reduced to practice, found in the issue, that both parties were secretly united against him. But no sooner was the danger past, and the general fears somewhat allayed, than party prejudices resumed, in some degree, their former authority; and the tories were abashed at that victory, which their antagonists, during the late transactions, had obtained over them. They were inclined, therefore, to steer a middle course; and, though generally determined to oppose the king's return, they resolved not to consent to dethroning him, or altering the line of succession. A regent with kingly power was the expedient, which they proposed; and a late instance in Portugal seemed to give some authority and precedent to that plan of government.

IN favor of this scheme the tories urged, that, by the uniform tenor of the English laws, the title to the crown was ever regarded as sacred, and could, on no account, and by no mal-administration, be forfeited by the sovereign: That to dethrone a king and to elect his successor, was a practice quite unknown to the constitution,

and had a tendence to render kingly power entirely dependent and precarious: That where the sovereign, from his tender years, from lunacy, or from other natural infirmity, was incapacitated to hold the reins of government, both the laws and former practice agreed in appointing a regent, who, during the interval, was invested with the whole power of the administration: That the inveterate and dangerous prejudices of king James had rendered him as unfit to sway the English sceptre, as if he had fallen into lunacy; and it was therefore natural for the people to have recourse to the same remedy: That the election of one king was a precedent for the election of another; and the government, by that means, would either degenerate into a republic, or, what was worse, into a turbulent and seditious monarchy: That the case was still more dangerous, if there remained a prince, who claimed the crown by right of succession, and disputed, on so plausible a ground, the title of the present sovereign: That though the doctrine of non-resistance might not, in every possible circumstance, be absolutely true, yet was the belief of it very expedient; and to establish a government, which should have the contrary principle for its basis, was to lay a foundation for perpetual revolutions and convulsions: That the appointment of a regent was indeed exposed to many inconveniences; but so long as the line of succession was preserved entire, there was still a prospect of putting an end, some time or other, to the public

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C H A P. disorders: And that scarcely an instance occurred
 LXXI. in history, especially in the English history, where
 1689. a disputed title had not, in the issue, been attended
 with much greater ills, than all those, which the
 people had fought to shun, by departing from the
 lineal successor.

THE leaders of the whig-party, on the other
 hand, asserted, that, if there were any ill in the
 precedent, that ill would result as much from
 establishing a regent, as from dethroning one
 king, and appointing his successor; nor would
 the one expedient, if wantonly and rashly em-
 braced by the people, be less the source of public
 convulsions than the other: That if the laws
 gave no express permission to depose the sove-
 reign, neither did they authorize resisting his
 authority, or separating the power from the
 title: That a regent was unknown, except where
 the king, by reason of his tender age or his
 infirmities, was incapable of a will; and in that
 case, his will was supposed to be involved in
 that of the regent: That it would be the height
 of absurdity to try a man for acting upon a com-
 mission, received from a prince, whom we our-
 selves acknowledge to be the lawful sovereign;
 and no jury would decide so contrary both to
 law and common sense, as to condemn such a
 pretended criminal: That even the prospect of
 being delivered from this monstrous inconvenience
 was, in the present situation of affairs, more
 distant than that of putting an end to a disputed
 succession: That allowing the young prince to
 be

be the legitimate heir, he had been carried abroad; he would be educated in principles destructive of the constitution and established religion; and he would probably leave a son, liable to the same insuperable objection: That if the whole line were cut off by law, the people would in time forget or neglect their claim; an advantage, which could not be hoped for, while the administration was conducted in their name, and while they were still acknowledged to possess the legal title: And that a nation, thus perpetually governed by regents or protectors, approached much nearer to a republic than one subject to monarchs, whose hereditary regular succession, as well as present authority, was fixed and appointed by the people.

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THIS question was agitated with great zeal by the opposite parties in the house of peers. The chief speakers among the tories were Clarendon, Rochester, and Nottingham; among the whigs, Halifax and Danby. The question was carried for a king by two voices only, fifty-one against forty-nine. All the prelates, except two, the bishops of London and Bristol, voted for a regent. The primate, a disinterested but pusillanimous man, kept at a distance, both from the prince's court and from parliament.

THE house of peers proceeded next to examine piece-meal the vote, sent up to them by the commons. They debated, "Whether there were an original contract between king and people?" and the affirmative was carried by fifty-three against forty-six; a proof that the tories were

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already losing ground. The next question was, "Whether king James had broken that original contract?" and after a slight opposition, the affirmative prevailed. The lords proceeded to take into consideration the word *abdicated*; and it was carried, that *deserted* was more proper. The concluding question was, "Whether king James having broken the original contract, and *deserted* the government, the throne was thereby vacant?" This question was debated with more heat and contention than any of the former; and upon a division, the tories prevailed by eleven voices, and it was carried to omit the last article, with regard to the vacancy of the throne. The vote was sent back to the commons with these amendments.

THE earl of Danby had entertained the project of bestowing the crown solely upon the princess of Orange, and of admitting her as hereditary legal successor to king James: Passing by the infant prince as illegitimate or supposititious. His change of party in the last question gave the tories so considerable a majority in the number of voices.

Free conferences be-
twixt the
houses.

THE commons still insisted on their own vote, and sent up reasons, why the lords should depart from their amendments. The lords were not convinced; and it was necessary to have a free conference, in order to settle this controversy. Never surely was national debate more important, or managed by more able speakers; yet is one surprised to find the topics, insisted on by both

sides, so frivolous ; more resembling the verbal C H A P.
disputes of the schools than the solid reasonings LXXI.
of statesmen and legislators. In public transactions 1689.
of such consequence, the true motives, which
produce any measure, are seldom avowed. The
whigs, now the ruling party, having united with
the tories, in order to bring about the revolution,
had so much deference for their new allies, as
not to insist, that the crown should be declared
forfeited, on account of the king's mal-administra-
tion: Such a declaration, they thought, would
imply too express a censure of the old tory prin-
ciples, and too open a preference of their own.
They agreed, therefore, to confound together
the king's abusing his power, and his withdraw-
ing from the kingdom; and they called the whole
an *abdication*; as if he had given a virtual, though
not a verbal, consent to dethroning himself. The
tories took advantage of this obvious impropriety,
which had been occasioned merely by the com-
plaisance or prudence of the whigs; and they
insisted upon the word *desertion*, as more signifi-
cant and intelligible. It was retorted on them,
that, however that expression might be justly
applied to the king's withdrawing himself, it
could not, with any propriety, be extended to
his violation of the fundamental laws. And thus
both parties, while they warped their principles
from regard to their antagonists, and from pru-
dential considerations, lost the praise of consistence
and uniformity.

THE managers for the lords next insisted, that,

C H A P. even allowing the king's abuse of power to be
 LXXI. equivalent to an abdication, or in other words,
 1689. to a civil death, it could operate no otherwise
 than his voluntary resignation or his natural death;
 and could only make way for the next successor.
 It was a maxim of English law, *that the throne*
was never vacant; but instantly, upon the demise
 of one king, was filled with his legal heir, who
 was entitled to all the authority of his predecessor.
 And however young or unfit for government the
 successor, however unfortunate in his situation,
 though he were even a captive in the hands of
 public enemies; yet no just reason, they thought,
 could be assigned, why, without any default of
 his own, he should lose a crown, to which, by
 birth, he was fully entitled. The managers for
 the commons might have opposed this reasoning
 by many specious and even solid arguments.
 They might have said, that the great security
 for allegiance being merely opinion, any scheme
 of settlement should be adopted, in which, it
 was most probable, the people would acquiesce
 and persevere. That though, upon the natural
 death of a king, whose administration had been
 agreeable to the laws, many and great incon-
 veniences would be endured rather than exclude
 his lineal successor; yet the case was not the
 same, when the people had been obliged, by
 their revolt, to dethrone a prince, whose illegal
 measures had, in every circumstance, violated
 the constitution. That in these extraordinary
 revolutions, the government reverted, in some

degree, to its first principles, and the community acquired a right of providing for the public interest by expedients, which, on other occasions, might be deemed violent and irregular. That the recent use of one extraordinary remedy reconciled the people to the practice of another, and more familiarized their minds to such licences, than if the government had run on in its usual tenor. And that king James, having carried abroad his son, as well as withdrawn himself, had given such just provocation to the kingdom, had voluntarily involved it in such difficulties, that the interests of his family were justly sacrificed to the public settlement and tranquillity. Though these topics seem reasonable, they were entirely forbore by the whig managers; both because they implied an acknowledgment of the infant prince's legitimacy, which it was agreed to keep in obscurity, and because they contained too express a condemnation of tory principles. They were content to maintain the vote of the commons by shifts and evasions; and both sides parted at last without coming to any agreement.

BUT it was impossible for the public to remain long in the present situation. The perseverance, therefore, of the lower house obliged the lords to comply; and by the desertion of some peers to the whig-party, the vote of the commons, without any alteration, passed by a majority of fifteen in the upper house, and received the sanction of every part of the legislature, which then subsisted.

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1689.

It happens unluckily for those, who maintain an original contract between the magistrate and people, that great revolutions of government, and new settlements of civil constitutions, are commonly conducted with such violence, tumult, and disorder, that the public voice can scarcely ever be heard; and the opinions of the citizens are at that time less attended to than even in the common course of administration. The present transactions in England, it must be confessed, are a singular exception to this observation. The new elections had been carried on with great tranquillity and freedom: The prince had ordered the troops to depart from all the towns, where the voters assembled: A tumultuary petition to the two houses having been promoted, he took care, though the petition was calculated for his advantage, effectually to suppress it: He entered into no intrigues, either with the electors or the members: He kept himself in a total silence, as if he had been nowise concerned in these transactions: And so far from forming cabals with the leaders of parties, he disdained even to bestow caresses on those, whose assistance might be useful to him. This conduct was highly meritorious, and discovered great moderation and magnanimity; even though the prince unfortunately, through the whole course of his life, and on every occasion, was noted for an address so cold, dry, and distant, that it was very difficult for him, on account of any interest, to soften or familiarize it.

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AT length, the prince deigned to break silence, and to express, though in a private manner, his sentiments on the present situation of affairs. He called together Halifax, Shrewsbury, Danby, and a few more; and he told them, that, having been invited over to restore their liberty, he had engaged in this enterprise, and had at last happily effected his purpose. That it belonged to the parliament, now chosen and assembled with freedom, to concert measures for the public settlement; and he pretended not to interpose in their determinations. That he heard of several schemes proposed for establishing the government: Some insisted on a regent; others were desirous of bestowing the crown on the princess: It was their concern alone to chuse the plan of administration most agreeable or advantageous to them. That if they judged it proper to settle a regent, he had no objection: He only thought it incumbent on him to inform them, that he was determined not to be the regent, nor ever to engage in a scheme, which, he knew, would be exposed to such insuperable difficulties. That no man could have a juster or deeper sense of the princess's merit than he was impressed with; but he would rather remain a private person than enjoy a crown, which must depend on the will or life of another. And that they must therefore make account, if they were inclined to either of these two plans of settlement, that it would be totally out of his power to assist them in carrying it into execution: His affairs abroad were too

C H A P. important to be abandoned for so precarious a
 LXXI. dignity, or even to allow him so much leisure as
 1689. would be requisite to introduce order into their
 disjointed government.

THESE views of the prince were seconded by the princess herself, who as she possessed many virtues, was a most obsequious wife to a husband, who, in the judgment of the generality of her sex, would have appeared so little attractive and amiable. All considerations were neglected, when they came in competition with what she deemed her duty to the prince. When Danby and others of her partisans wrote her an account of their schemes and proceedings, she expressed great displeasure; and even transmitted their letters to her husband, as a sacrifice to conjugal fidelity. The princess Anne also concurred in the same plan for the public settlement; and being promised an ample revenue, was content to be postponed in the succession to the crown. And as the title of her infant brother was, in the present establishment, entirely neglected, she might, on the whole, deem herself, in point of interest, a gainer by this revolution.

Settlement
 of the
 crown.

THE chief parties, therefore, being agreed, the convention passed a bill, in which they settled the crown on the prince and princess of Orange, the sole administration to remain in the prince: The princess of Denmark to succeed after the death of the prince and princess of Orange; her posterity after those of the princess, but before those of the prince by any other wife. The convention annexed to this settlement of

the crown a declaration of rights, where all the points, which had, of late years, been disputed between the king and people, were finally determined, and the powers of royal prerogative were more narrowly circumscribed and more exactly defined, than in any former period of the English government.

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* * * * *

THUS have we seen, through the course of four reigns, a continual struggle maintained between the crown and the people: Privilege and prerogative were ever at variance: And both parties, beside the present object of dispute, had many latent claims, which, on a favorable occasion, they produced against their adversaries. Governments too steady and uniform, as they are seldom free, so are they, in the judgment of some, attended with another sensible inconvenience: They abate the active powers of men; depress courage, invention, and genius; and produce an universal lethargy in the people. Though this opinion may be just, the fluctuation and contest, it must be allowed, of the English government were, during these reigns, much too violent both for the repose and safety of the people. Foreign affairs, at that time, were either entirely neglected, or managed to pernicious purposes: And in the domestic administra-

Manners,
arts and
sciences.

C H A P. tion there was felt a continued fever, either
 LXXI. secret or manifest; sometimes the most furi-
 1689. ous convulsions and disorders. The revolution
 forms a new epoch in the constitution; and was
 probably attended with consequences more ad-
 vantageous to the people, than barely freeing
 them from an exceptionable administration. By
 deciding many important questions in favor of
 liberty, and still more, by that great precedent
 of deposing one king, and establishing a new
 family, it gave such an ascendant to popular
 principles, as has put the nature of the English
 constitution beyond all controversy. And it may
 justly be affirmed, without any danger of exag-
 geration, that we, in this island, have ever since
 enjoyed, if not the best system of government,
 at least the most entire system of liberty, that
 ever was known amongst mankind.

To decry with such violence, as is affected
 by some, the whole line of Stuart; to maintain,
 that their administration was one continued
 encroachment on the *incontestible* rights of the
 people; is not giving due honor to that great
 event, which not only put a period to their
 hereditary succession, but made a new settlement
 of the whole constitution. The inconveniences,
 suffered by the people under the two first reigns
 of that family (for in the main they were fortu-
 nate) proceeded in a great measure from the
 unavoidable situation of affairs; and scarcely any
 thing could have prevented those events, but
 such vigor of genius in the sovereign, attended

with such good fortune, as might have enabled him entirely to overpower the liberties of his people. While the parliaments, in those reigns, were taking advantage of the necessities of the prince, and attempting every session to abolish, or circumscribe, or define, some prerogative of the crown, and innovate in the usual tenor of government: What could be expected, but that the prince would exert himself, in defending, against such inveterate enemies, an authority, which, during the most regular course of the former English government, had been exercised without dispute or controversy? And though Charles II. in 1672, may with reason be deemed the aggressor, nor is it possible to justify his conduct; yet were there some motives surely, which could engage a prince, so soft and indolent, and at the same time so judicious, to attempt such hazardous enterprises. He felt, that public affairs had reached a situation, at which they could not possibly remain without some farther innovation. Frequent parliaments were become almost absolutely necessary to the conducting of public business; yet these assemblies were still, in the judgment of the royalists, much inferior in dignity to the sovereign, whom they seemed better calculated to counsel than controul. The crown still possessed considerable power of opposing parliaments; and had not as yet acquired the means of influencing them. Hence a continual jealousy between these parts of the legislature; Hence the inclination mutually to take

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C H A P. advantage of each other's necessities: Hence the
 LXXI. impossibility, under which the king lay, of
 1689. finding ministers, who could at once be service-
 able and faithful to him. If he followed his
 own choice in appointing his servants, without
 regard to their parliamentary interest, a refractory
 session was instantly to be expected: If he chose
 them from among the leaders of popular assem-
 blies, they either lost their influence with the
 people, by adhering to the crown, or they
 betrayed the crown, in order to preserve their
 influence. Neither Hambden, whom Charles I.
 was willing to gain at any price; nor Shaftesbury,
 whom Charles II. after the popish plot, attempted
 to engage in his counsels, would renounce their
 popularity for the precarious, and, as they esteem-
 ed it, deceitful favor of the prince. The root of
 their authority they still thought to lie in the
 parliament; and as the power of that assembly
 was not yet uncontroulable, they still resolved to
 augment it, though at the expense of the royal
 prerogatives.

It is no wonder, that these events have long,
 by the representations of faction, been extremely
 clouded and obscured. No man has yet arisen,
 who has paid an entire regard to truth, and
 has dared to expose her, without covering or
 disguise, to the eyes of the prejudiced public.
 Even that party amongst us, which boasts of
 the highest regard to liberty, had not possessed
 sufficient liberty of thought in this particular;
 nor has been able to decide impartially of their

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own merit, compared with that of their antagonists. More noble perhaps in their ends, and highly beneficial to mankind; they must also be allowed to have often been less justifiable in the means, and in many of their enterprises to have paid more regard to political than to moral considerations. Obligated to court the favor of the populace, they found it necessary to comply with their rage and folly; and have even, on many occasions, by propagating calumnies, and by promoting violence, served to infatuate, as well as corrupt that people, to whom they made a tender of liberty and justice. Charles I. was a tyrant, a papist, and a contriver of the Irish massacre: The church of England was relapsing fast into idolatry: Puritanism was the only true religion, and the covenant the favorite object of heavenly regard. Through these delusions the party proceeded, and, what may seem wonderful, still to the increase of law and liberty; till they reached the imposture of the popish plot, a fiction which exceeds the ordinary bounds of vulgar credulity. But however singular these events may appear, there is really nothing altogether new in any period of modern history: And it is remarkable, that tribunitian arts, though sometimes useful in a free constitution, have usually been such as men of probity and honor could not bring themselves either to practice or approve. The other faction, which, since the revolution, has been obliged to cultivate popularity, sometimes found it necessary to employ like artifices.

C H A P. THE Whig-party, for a course of near seventy
 LXXI. years, has, almost without interruption, enjoyed
 1689. the whole authority of government; and no
 honors or offices could be obtained but by their
 countenance and protection. But this event,
 which, in some particulars, has been advantage-
 ous to the state, has proved destructive to the
 truth of history, and has established many gross
 falsehoods, which it is unaccountable how any
 civilized nation could have embraced with regard
 to its domestic occurrences. Compositions the
 most despicable, both for style and matter, have
 been extolled, and propagated, and read, as if
 they had equalled the most celebrated remains of
 antiquity⁹. And forgetting that a regard to
 liberty, though a laudable passion, ought com-
 monly to be subordinate to a reverence for
 established government, the prevailing faction has
 celebrated only the partisans of the former, who
 pursued as their object the perfection of civil
 society, and has extolled them at the expense
 of their antagonists, who maintained those max-
 ims, that are essential to its very existence. But
 extremes of all kinds are to be avoided, and
 though no one will ever please either faction by
 moderate opinions, it is there we are most likely
 to meet with truth and certainty.

WE shall subjoin to this general view of the
 English government, some account of the state

⁹ Such as Rapin Thoyras, Locke, Sidney, Hoadley, &c.

of the finances, arms, trade, manners, arts, between the restoration and revolution.

THE revenue of Charles II. as settled by the long parliament, was put upon a very bad footing. It was too small, if they intended to make him independent in the common course of his administration: It was too large, and settled during too long a period, if they resolved to keep him in entire dependence. The great debts of the republic, which were thrown upon that prince; the necessity of supplying the naval and military stores, which were entirely exhausted¹; that of repairing and furnishing his palaces: All these causes involved the king in great difficulties immediately after his restoration; and the parliament was not sufficiently liberal in supplying him. Perhaps too he had contracted some debts abroad; and his bounty to the distressed cavaliers, though it did not correspond either to their services or expectations, could not fail, in some degree, to exhaust his treasury. The extraordinary sums, granted the king during the first years, did not suffice for these extraordinary expenses; and the excise and customs, the only constant revenue, amounted not to nine hundred thousand pounds a-year, and fell much short of the ordinary burthens of government. The addition of hearth-money in 1662, and of other two branches in 1669 and 1660, brought up the revenue to one million three hundred fifty-eight

¹ Lord Clarendon's speech to the parliament, Oct. 9, 1665.

C H A P. thousand pounds; as we learn from lord Danby's
 LXXI. account : But the same authority informs us,
 1689. that the yearly expence of government was at
 that time one million three hundred eighty-seven
 thousand seven hundred and seventy pounds ¹¹; without mentioning contingences, which are
 always considerable, even under the most pru-
 dent administration. Those branches of revenue,
 granted in 1669 and 1670, expired in 1680, and
 were never renewed by parliament: They were
 computed to be above two hundred thousand
 pounds a-year. It must be allowed, because
 asserted by all cotemporary authors of both
 parties, and even confessed by himself, that king
 Charles was somewhat profuse and negligent.
 But it is likewise certain, that a very rigid fru-
 gality was requisite to support the government
 under such difficulties. It is a familiar rule in
 all business, that every man should be paid,
 in proportion to the trust reposed in him, and
 to the power, which he enjoys; and the nation
 soon found reason, from Charles's dangerous
 connexions with France, to repent their departure
 from that prudential maxim. Indeed, could the
 parliaments in the reign of Charles I. have been
 induced to relinquish so far their old habits, as

¹¹ Ralph's History, vol. i. p. 288. We learn from that
 lord's Memoirs, p. 12. that the receipts of the Exchequer,
 during six years, from 1673 to 1679, were about eight
 millions two hundred thousand pounds, or one million three
 hundred sixty-six thousand pounds a-year. See likewise,
 p. 169.

to grant that prince the same revenue which was voted to his successor, or had those in the reign of Charles II. conferred on him as large a revenue as was enjoyed by his brother, all the disorders in both reigns might easily have been prevented, and probably all reasonable concessions to liberty might peaceably have been obtained from both monarchs. But these assemblies, unacquainted with public business, and often actuated by faction and fanaticism, could never be made sensible, but too late and by fatal experience, of the incessant change of times and situations. The French ambassador informs his court, that Charles was very well satisfied with his share of power, could the parliament have been induced to make him tolerably easy in his revenue ¹².

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IF we estimate the ordinary revenue of Charles II. at one million two hundred thousand pounds a-year during his whole reign, the computation will rather exceed than fall below the true value. The convention parliament, after all the sums, which they had granted the king towards the payment of old debts, threw, the last day of their meeting, a debt upon him, amounting to one million seven hundred forty-three thousand two hundred sixty-three pounds ¹³. All the extraordinary sums, which were afterwards voted him by parliament, amounted to eleven millions

¹² Dalrymple's Appendix, p. 142.

¹³ Journals, 29th of December, 1660.

C H A P. four hundred forty-three thousand four hundred
 LXXI. and seven pounds; which, divided by twenty-
 1689. four, the number of years which that king reign-
 ed, make four hundred seventy-six thousand
 eight hundred and eight pounds a-year. During
 that time, he had two violent wars to sustain
 with the Dutch; and in 1678, he made expensive
 preparations for a war with France. In the first
 Dutch war, both France and Denmark were
 allies to the United Provinces, and the naval
 armaments in England were very great; so that
 it is impossible he could have secreted any part,
 at least any considerable part, of the sums, which
 were then voted him by parliament.

To these sums we must add about one million
 two hundred thousand pounds, which had been
 detained from the bankers on shutting up the
 Exchequer in 1672. The king paid six per
 cent for this money during the rest of his reign¹⁴.
 It is remarkable, that, notwithstanding this
 violent breach of faith, the king, two years
 after, borrowed money at eight per cent; the
 same rate of interest which he had paid before
 that event¹⁵. A proof, that public credit, instead
 of being of so delicate a nature, as we are apt
 to imagine, is, in reality, so hardy and robust,
 that it is very difficult to destroy it.

THE revenue of James was raised by the parlia-
 ment to about one million eight hundred and fifty
 thousand pounds¹⁶; and his income as duke of

¹⁴ Danby's Memoirs, p. 7.

¹⁵ Id. p. 65.

¹⁶ Journ. 1st of March, 1689.

York, being added, made the whole amount to two millions a year; a sum well proportioned to the public necessities, but enjoyed by him in too independent a manner. The national debt at the revolution amounted to one million fifty-four thousand nine hundred twenty-five pounds¹⁷.

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THE militia fell much to decay during these two reigns, partly by the policy of the kings, who had entertained a diffidence of their subjects, partly by that ill-judged law, which limited the king's power of mustering and arraying them. In the beginning, however, of Charles's reign, the militia was still deemed formidable. De Wit having proposed to the French king an invasion of England during the first Dutch war, that monarch replied, that such an attempt would be entirely fruitless, and would tend only to unite the English. In a few days, said he, after our landing, there will be fifty thousand men at least upon us¹⁸.

CHARLES in the beginning of his reign had in pay near five thousand men, of guards and garrisons. At the end of his reign he augmented this number to near eight thousand. James on Monmouth's rebellion had on foot about fifteen thousand men; and when the prince of Orange invaded him, there were no fewer than thirty thousand regular troops in England.

THE English navy, during the greater part of

¹⁷ Journ. 20th of March, 1689.

¹⁸ D'Estrades, 20th of October, 1666.

C H A P. Charles's reign, made a considerable figure, for
 LXXI. number of ships, valor of the men, and conduct
 1689. of the commanders. Even in 1678, the fleet
 consisted of eighty-three ships ¹⁹; besides thirty,
 which were at that time on the stocks. On the
 king's restoration he found only sixty-three vessels
 of all sizes ²⁰. During the latter part of Charles's
 reign, the navy fell somewhat to decay, by
 reason of the narrowness of the king's revenue:
 But James, soon after his accession, restored it
 to its former power and glory; and before he
 left the throne, carried it much farther. The
 administration of the admiralty under Pepys, is
 still regarded as a model for order and œconomy.
 The fleet at the revolution consisted of one
 hundred seventy-three vessels of all sizes; and
 required forty-two thousand seamen to man it ²¹.
 That king, when Duke of York, had been the
 first inventor of sea-signals. The military genius,
 during these two reigns, had not totally decayed
 among the young nobility. Dorset, Mulgrave,
 Rochester, not to mention Ossory, served on
 board the fleet, and were present in the most
 furious engagements against the Dutch.

THE commerce and riches of England did
 never, during any period, increase so fast as
 from the restoration to the revolution. The two
 Dutch wars, by disturbing the trade of that

¹⁹ Pepys's Memoirs, p. 4.

²⁰ Memoirs of English affairs, chiefly naval.

²¹ Lives of the admirals, vol. ii. p. 476.

republic, promoted the navigation of this island; and after Charles had made a separate peace with the States, his subjects enjoyed unmolested the trade of Europe. The only disturbance, which they met with, was from a few French privateers, who infested the channel; and Charles interposed not in behalf of his subjects with sufficient spirit and vigor. The recovery or conquest of New York and the Jerseys was a considerable accession to the strength and security of the English colonies; and, together with the settlement of Pensilvania and Carolina, which was effected during that reign, extended the English empire in America. The persecutions of the dissenters, or more properly speaking, the restraints imposed upon them, contributed to augment and people these colonies. Dr. Davenant affirms ²², that the shipping of England more than doubled during these twenty-eight years. Several new manufactures were established; in iron, brass, silk, hats, glass, paper, &c. One Brewer, leaving the Low Countries, when they were threatened with a French conquest, brought the art of dying woollen cloth into England, and by that improvement saved the nation great sums of money. The increase of coinage during these two reigns was ten millions two hundred sixty-one thousand pounds. A board of trade was erected in 1670; and the earl of Sandwich was made president. Charles revived and supported

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²² Discourse on the public revenues, part. ii. p. 29. 33. 36.

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the charter of the East-India company; a measure whose utility is by some thought doubtful: He granted a charter to the Hudson's Bay company; a measure probably hurtful.

We learn from Sir Josiah Child²³, that in 1688 there were on the Change more men worth 10,000 pounds than there were in 1650 worth a thousand; that 500 pounds with a daughter was, in the latter period, deemed a larger portion than 2000 in the former; that gentlewomen, in those earlier times, thought themselves well clothed in a serge gown, which a chambermaid would, in 1688, be ashamed to be seen in; and that, besides the great increase of rich clothes, plate, jewels, and household furniture, coaches were in that time augmented a hundred fold.

THE duke of Buckingham introduced from Venice the manufacture of glass and crystal into England. Prince Rupert was also an encourager of useful arts and manufactures: He himself was the inventor of etching.

THE first law for erecting turnpikes was passed in 1662: The places of the turnpikes were Wadsmill, Caxton, and Stilton: But the general and great improvement of highways took not place till the reign of George II.

IN 1663, was passed the first law for allowing the exportation of foreign coin and bullion.

IN 1667 was concluded the first American treaty between England and Spain: This treaty was made

²³ Brief observations, &c.

more general and complete in 1670. The two states then renounced all right of trading with each other's colonies; and the title of England was acknowledged to all the territories in America, of which she was then possessed.

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THE French king, about the beginning of Charles's reign, laid some impositions on English commodities: And the English, partly displeased with this innovation, partly moved by their animosity against France, retaliated, by laying such restraints on the commerce with that kingdom as amounted almost to a prohibition. They formed calculations, by which they persuaded themselves, that they were losers a million and a half or near two millions a year by the French trade. But no good effects were found to result from these restraints, and in king James's reign they were taken off by parliament.

LORD CLARENDON tells us, that, in 1665, when money, in consequence of a treaty, was to be remitted to the bishop of Munster, it was found, that the whole trade of England could not supply above 1000 pounds a month to Frankfort and Cologne, nor above 20,000 pounds a month to Hamburgh: These sums appear surprisingly small ²⁴.

AT the same time that the boroughs of England were deprived of their privileges, a like attempt was made on the colonies. King James recalled the charters, by which their liberties

²⁴ Life of Clarendon, p. 237.

C H A P. were secured; and he sent over governors in-
LXXI. vested with absolute power. The arbitrary prin-
1689. ciples of that monarch appear in every part of
 his administration.

THE people, during these two reigns, were, in a great measure, cured of that wild fanaticism, by which they had formerly been so much agitated. Whatever new vices they might acquire, it may be questioned, whether, by this change, they were, in the main, much losers in point of morals. By the example of Charles II. and the cavaliers, licentiousness and debauchery became prevalent in the nation. The pleasures of the table were much pursued. Love was treated more as an appetite than a passion. The one sex began to abate of the national character of chastity, without being able to inspire the other with sentiment or delicacy.

THE abuses in the former age, arising from overstrained pretensions to piety, had much propagated the spirit of irreligion; and many of the ingenious men of this period lie under the imputation of deism. Besides wits and scholars by profession, Shaftesbury, Halifax, Buckingham, Mulgrave, Sunderland, Essex, Rochester, Sidney, Temple are supposed to have adopted these principles.

THE same factions, which formerly distracted the nation, were revived, and exerted themselves in the most ungenerous and unmanly enterprises against each other. King Charles being in his whole deportment a model of easy and gentleman-

like behaviour, improved the politeness of the nation; as much as faction, which of all things is most destructive to that virtue, could possibly permit. His courtiers were long distinguishable in England by their obliging and agreeable manners.

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TILL the revolution, the liberty of the press was very imperfectly enjoyed in England, and during a very short period. The star-chamber, while that court subsisted, put effectual restraints upon printing. On the suppression of that tribunal in 1641, the long parliament, after their rupture with the king, assumed the same power with regard to the licensing of books; and this authority was continued during all the period of the republic and protectorship²⁵. Two years after the restoration, an act was passed, reviving the republican ordinances. This act expired in 1679; but was revived in the first of king James. The liberty of the press did not even commence with the revolution. It was not till 1694, that the restraints were taken off; to the great displeasure of the king, and his ministers, who, seeing no where, in any government, during present or past ages, any example of such unlimited freedom, doubted much of its salutary effects, and probably thought, that no books or writings would ever so much improve the general understanding of men, as to render it safe to intrust them with an indulgence so easily abused.

²⁵ Scobell, i. 44. 134. ii. 88. 230.

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IN 1677, the old law for burning heretics was repealed; a prudent measure, while the nation was in continual dread of the return of popery.

AMIDST the thick cloud of bigotry and ignorance, which overspread the nation, during the commonwealth and protectorship, there were a few sedate philosophers, who, in the retirement of Oxford, cultivated their reason, and established conferences for the mutual communication of their discoveries in physics and geometry. Wilkins, a clergyman, who had married Cromwel's sister, and was afterwards bishop of Chester, promoted these philosophical conversations. Immediately after the restoration, these men procured a patent, and having enlarged their number, were denominated the *Royal Society*. But this patent was all they obtained from the king. Though Charles was a lover of the sciences, particularly chymistry and mechanics; he animated them by his example alone, not by his bounty. His craving courtiers and mistresses, by whom he was perpetually surrounded, engrossed all his expense, and left him neither money nor attention for literary merit. His contemporary, Lewis, who fell short of the king's genius and knowledge in this particular, much exceeded him in liberality. Besides pensions conferred on learned men throughout all Europe, his academies were directed by rules and supported by salaries: A generosity which does great honor to his memory; and in the eyes of all the ingenious part of mankind, will be esteemed an atonement for many of the errors of his reign.

We may be surpris'd, that this example should not be more followed by princes; since it is certain that that bounty, so extensive, so beneficial, and so much celebrated, cost not this monarch so great a sum as is often conferred on one useless, overgrown favorite or courtier.

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BUT though the French academy of sciences was directed, encouraged and supported by the sovereign, there arose in England some men of superior genius who were more than sufficient to cast the balance, and who drew on themselves and on their native country the regard and attention of Europe. Besides Wilkins, Wren, Wallis, eminent mathematicians, Hooke, an accurate observer by microscopes, and Sydenham, the restorer of true physic; there flourished during this period a Boyle and a Newton; men who trod, with cautious, and therefore the more secure steps, the only road, which leads to true philosophy.

BOYLE improved the pneumatic engine invented by Otto Guericke, and was thereby enabled to make several new and curious experiments on the air as well as on other bodies: His chymistry is much admired by those who are acquainted with that art: His hydrostatics contain a greater mixture of reasoning and invention with experiment than any other of his works; but his reasoning is still remote from that boldness and temerity, which had led astray so many philosophers. Boyle was a great partisan of the mechanical philosophy; a theory, which, by

C H A P. discovering some of the secrets of nature, and
 LXXI. allowing us to imagine the rest, is so agreeable
 1689. to the natural vanity and curiosity of men. He
 died in 1691, aged 65.

IN Newton this island may boast of having produced the greatest and rarest genius that ever arose for the ornament and instruction of the species. Cautious in admitting no principles but such as were founded on experiment; but resolute to adopt every such principle, however new or unusual: From modesty, ignorant of his superiority above the rest of mankind; and thence, less careful to accommodate his reasonings to common apprehensions: More anxious to merit than acquire fame: He was from these causes long unknown to the world; but his reputation at last broke out with a lustre, which scarcely any writer, during his own life-time, had ever before attained. While Newton seemed to draw off the veil from some of the mysteries of nature, he showed at the same time the imperfections of the mechanical philosophy; and thereby restored her ultimate secrets to that obscurity, in which they ever did and ever will remain. He died in 1727, aged 85.

THIS age was far from being so favorable to polite literature as to the sciences. Charles, though fond of wit, though possessed himself of a considerable share of it, though his taste in conversation seems to have been sound and just; served rather to corrupt than improve the poetry and eloquence of his time. When the theatres were

opened at the restoration, and freedom was again given to pleasantry and ingenuity; men, after so long an abstinence, fed on these delicacies with less taste than avidity, and the coarsest and most irregular species of wit was received by the court as well as by the people. The productions, represented at that time on the stage, were such monsters of extravagance and folly; so utterly destitute of all reason or even common sense; that they would be the disgrace of English literature, had not the nation made atonement for its former admiration of them, by the total oblivion to which they are now condemned. The duke of Buckingham's Rehearsal, which exposed these wild productions, seems to be a piece of ridicule carried to excess; yet in reality the copy scarcely equals some of the absurdities, which we meet with in the originals ²⁶.

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THIS severe satire, together with the good sense of the nation, corrected, after some time, the extravagances of the fashionable wit; but the productions of literature still wanted much of that correctness and delicacy, which we so much admire in the ancients, and in the French writers, their judicious imitators. It was indeed during this period chiefly, that that nation left the English behind them in the productions of poetry, eloquence, history, and other branches of polite letters; and acquired a superiority,

²⁶ The duke of Buckingham died on the 16th of April, 1688.

C H A P. which the efforts of English writers, during the
LXXI. subsequent age, did more successfully contest
1689. with them. The arts and sciences were imported from Italy into this island as early as into France; and made at first more sensible advances. Spencer, Shakespeare, Bacon, Jonson, were superior to their cotemporaries, who flourished in that kingdom. Milton, Waller, Denham, Cowley, Harvey were at least equal to their cotemporaries. The reign of Charles II. which some preposterously represent as our Augustan age, retarded the progress of polite literature in this island; and it was then found that the immeasurable licentiousness, indulged or rather applauded at court, was more destructive to the refined arts, than even the cant, nonsense, and enthusiasm of the preceding period.

MOST of the celebrated writers of this age remain monuments of genius, perverted by indecency and bad taste; and none more than Dryden, both by reason of the greatness of his talents and the gross abuse which he made of them. His plays, excepting a few scenes, are utterly disfigured by vice or folly or both. His translations appear too much the offspring of haste and hunger: Even his fables are ill-chosen tales, conveyed in an incorrect, though spirited versification. Yet amidst this great number of loose productions, the refuse of our language, there are found some small pieces, his Ode to St. Cecilia, the greater part of Absalom and Achitophel, and a few more, which discover so great genius, such rich-

ness of expression, such pomp and variety of numbers, that they leave us equally full of regret and indignation, on account of the inferiority or rather great absurdity of his other writings. He died in 1701, aged 69.

THE very name of Rochester is offensive to modest ears; yet does his poetry discover such energy of style and such poignancy of satire, as give ground to imagine what so fine a genius, had he fallen in a more happy age, and had followed better models, was capable of producing. The ancient satirists often used great liberties in their expressions; but their freedom no more resembles the licentiousness of Rochester, than the nakedness of an Indian does that of a common prostitute.

WYCHERLEY was ambitious of the reputation of wit and libertinism; and he attained it: He was probably capable of reaching the fame of true comedy, and instructive ridicule. Otway had a genius finely turned to the pathetic; but he neither observes strictly the rules of the drama, nor the rules, still more essential, of propriety and decorum. By one single piece the duke of Buckingham did both great service to his age and honor to himself. The earls of Mulgrave, Dorset, and Roscommon wrote in a good taste; but their productions are either feeble or careless. The marquis of Halifax discovers a refined genius; and nothing but leisure and an inferior station seems wanting to have procured him eminence in literature.

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OF all the considerable writers of this age, Sir William Temple is almost the only one, that kept himself altogether unpolluted by that inundation of vice and licentiousness, which overwhelmed the nation. The style of this author, though extremely negligent, and even infected with foreign idioms, is agreeable and interesting. That mixture of vanity which appears in his works, is rather a recommendation to them. By means of it, we enter into acquaintance with the character of the author, full of honor and humanity; and fancy that we are engaged, not in the perusal of a book, but in conversation with a companion. He died in 1698, aged 70.

THOUGH Hudibras was published, and probably composed during the reign of Charles II. Butler may justly, as well as Milton be thought to belong to the foregoing period. No composition abounds so much as Hudibras in strokes of just and inimitable wit; yet are there many performances, which give us great or greater entertainment on the whole perusal. The allusions in Butler are often dark and far-fetched; and though scarcely any author was ever able to express his thoughts in so few words, he often employs too many thoughts on one subject, and thereby becomes prolix after an unusual manner. It is surprising how much erudition Butler has introduced with so good-a grace into a work of pleasantry and humor: Hudibras is perhaps one of the most learned compositions, that is to be found in any language. The advantage which
the

the royal cause received from this poem, in exposing the fanaticism and false pretences of the former parliamentary party, was prodigious. The king himself had so good a taste as to be highly pleased with the merit of the work, and had even got a great part of it by heart: Yet was he either so careless in his temper, or so little endowed with the virtue of liberality, or more properly speaking, of gratitude, that he allowed the author, a man of virtue and probity, to live in obscurity, and die in want²⁷. Dryden is an instance of a negligence of the same kind. His *Abfalom* sensibly contributed to the victory, which the tories obtained over the whigs, after the exclusion parliaments: Yet could not this merit, aided by his great genius, procure him an establishment, which might exempt him from the necessity of writing for bread. Otway, though a professed royalist, could not even procure bread by his writings; and he had the singular fate of dying literally of hunger. These incidents throw a great stain on the memory of Charles, who had discernment, loved genius, was liberal of money, but attained not the praise of true generosity.

C H A P.

LXXI.

1689.

²⁷ Butler died in 1690, aged 68.

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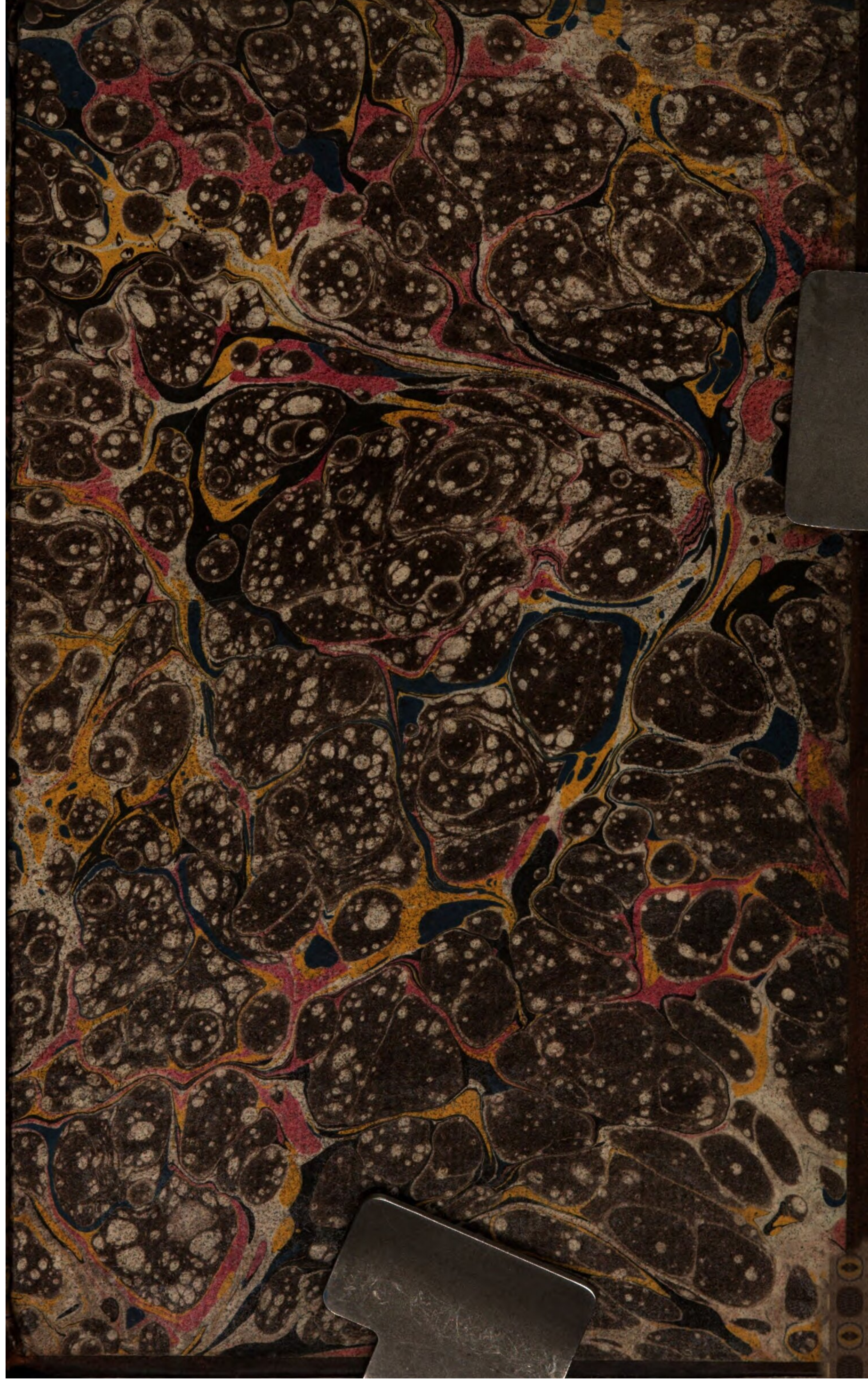
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